

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
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## Item No. 14.1.5 i

Halifax Regional Council  
November 22, 2016  
December 13, 2016

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed by   
\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

Original Signed by   
\_\_\_\_\_  
Jane Fraser, Acting Deputy Chief Administrative Officer

**DATE:** October 26, 2016

**SUBJECT:** **Amendments to the Regional MPS and Community Land Use By-laws  
Regarding the Development of 10 hectare (25 acre) lots**

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### **ORIGIN**

October 4, 2016, Item 14.1.12, motion of Regional Council initiating the process to amend the Regional MPS and community land use by-laws

### **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter (HRM Charter)*, Part VIII, Planning & Development

### **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Give first reading to consider the proposed amendments to the Regional Municipal Planning Strategy (MPS) and applicable community land use by-laws, as set out in Attachments A and B of this report, to allow residential development on lots created through the *HRM Charter* 10 hectare subdivision approval exemption and do not meet land use by-law requirements for road frontage and schedule a public hearing; and
2. Approve the proposed amendments to the Regional MPS and applicable land use by-laws, as set out in Attachments A and B of this report.

## **BACKGROUND**

### Requirement for Subdivision Approval

Under provincial legislation, the requirement for a regulated subdivision approval process has been in place for many years throughout Nova Scotia. Within HRM, the subdivision of land is regulated by the Regional Subdivision By-law, the purpose of which is to ensure a well-planned and orderly pattern of development. Subdivision approval is required whenever a property boundary is altered or a new boundary is created. The By-law sets out standards that must be met to ensure that any newly subdivided land parcels are capable of being serviced and developed for their intended purpose. Such a regime helps to protect consumers from purchasing lots which cannot be used as intended.

### HRM Charter Subdivision Exemptions

Separate from the standard subdivision approval process, to recognize the fact that there are other circumstances under which property boundaries need to be created or altered, both the *HRM Charter* and the *Municipal Government Act* set out certain types of subdivision that do not require subdivision approval. Parcels of land created or altered through these provisions are not required to be surveyed or assessed for their suitability for development as would be required under the standard subdivision approval process. Specifically, the list of subdivision exemptions is as follows:

- if all lots to be created, including the remainder lot, exceed ten hectares in area;
- those that result from an expropriation;
- those that result from an acquisition or disposition of land by the provincial or federal government or any agency thereof;
- the division of a cemetery into burial lots;
- those that result from an acquisition of land by a municipality for municipal purposes;
- those that result from the disposal, by the Municipality or the Province, of a street or part of a street or a former street or part of a former street, including the consolidation of a street or part of a street or a former street or part of a former street with adjacent land;
- those that result from the disposal of a trail or part of a trail, including the consolidation of a trail or part of a trail with adjacent land;
- the subdivision of an abandoned railway right of way or a consolidation of a part of an abandoned railway right of way with adjacent land;
- those that result from a lease of land for twenty years or less;
- those that are associated with a phase of a phased-development condominium pursuant to the *Condominium Act*;
- those that result from the quieting of a title; or
- those that result from a devise of land by will executed on or before January 1, 2000.

As is evident from the types of subdivision contemplated here, the resulting parcels of land that may be created could take on a variety of shapes and sizes and not be suitable for development purposes. The opposite is also possible and any parcel of land created through these exemption provisions may be developed provided they meet the requirements of the applicable land use by-law, as well as other applicable Municipal and Provincial requirements.

### Development of 10 ha Lots

The topic of this report specifically relates to the development of lots that are 10 hectares (25 acres) or more in size and created outside of the municipal subdivision approval process. This exemption is generally intended to allow the creation of blocks of land for resource uses, such as farming or forestry. In recent years, however, it has become more common for people to utilize the exemption with the intent to create such lots for cottage or residential development. Although such lots can be created without meeting Subdivision By-law or land use by-law (LUB) requirements, the lots must meet LUB requirements in order to obtain development permits. In most cases, the lots being created under this exemption do not meet HRM's minimum requirements for public road frontage.

While the vast majority of permits are accurately issued, in spring 2016, staff discovered that several permits had incorrectly been issued on lots created through the *HRM Charter* 10 hectare lot exemption that did not meet LUB requirements regarding road frontage. Under the *HRM Charter*, staff cannot issue permits for development that do not meet the requirements of the LUB. As a result, staff ensured that LUB requirements were applied more consistently across the Municipality and clarified the existing LUB requirements with several land owners and the Nova Scotia Land Surveyors' Association.

Although planning regulations have not changed, several land owners have raised concerns regarding 10 hectare lots and the investments made in preparing properties for development. Given these concerns, on April 12, 2016 Regional Council requested a staff report commenting on the advisability of an amendment concerning lots of land that are 10 hectares (25 acres) in size.

On October 4, 2016, Regional Council considered a detailed staff report and initiated the MPS and LUB amendment process regarding the development of lots that are created through the *HRM Charter* 10 hectare (25 acre) subdivision exemption and do not meet land use bylaw road frontage requirements. A copy of the staff report can be found at the following web link:

<http://www.halifax.ca/council/agendasc/documents/161004ca14112.pdf>

The October 4<sup>th</sup> staff report outlined a variety of information related to the development of 10 hectare lots including the *HRM Charter*, road frontage requirements, existing road frontage exemptions and the characteristics of 10 hectare lots found throughout the Municipality. The report also noted that staff are considering the broad feedback received through this planning process to inform the Department's on-going development of its rural planning work program. While staff continue to consider broader rural planning comments, this report focuses on discussing the proposed MPS and LUB amendments which would allow a number of 10 hectare lots to be developed for residential use.

## **DISCUSSION**

The Regional MPS (RMPS) is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in the Municipality. Amendments to the RMPS are significant undertakings and Council is under no obligation to amend its policy direction. In this case, staff advise that the Regional Plan and applicable community LUBs should be amended to enable a limited number lots created through the *HRM Charter* 10 hectare exemption and which do not meet public road frontage requirements to be developed. The following sections review the rationale and content of the proposed MPS and LUB amendments.

### Identified Subdivisions

Staff reviewed public feedback, the characteristics of 10 hectare lots and HRM's permitting records to identify six 10 hectare lot subdivisions that do not meet LUB road frontage requirements but which we advise should be allowed to continue to be developed for residential uses. The location of the subdivisions are shown in Map 1 and described in the following table.

**Table 1: Identified 10 hectare lot subdivisions**

<b>Subdivision</b>	<b># of lots</b>	<b># of existing single unit dwellings</b>
Moser Head Road, West Jeddore	17	2
Pleasant Point, West Jeddore	14	1
Heselton Heights, Ostrea Lake	10	4

Scotsdale Drive, Musquodoboit Harbour	13	3
Shaw Cove Road, West Pennant	7	2
Deerfield Ave, Portuguese Cove	16	2
<b>Total</b>	<b>77</b>	<b>14</b>

Within the six subdivisions identified in Table 1, staff acknowledge that several permits have been issued for single unit dwellings on lots that do not meet LUB road frontage requirements. Many lots within these subdivisions have been purchased by individuals and several property owners have made significant investments in preparing the land for development. Since some lots located with these subdivisions received permits, staff recognize that property owners would have reasonably expected to be able to receive development permits on the remaining vacant lots. In addition, as the subdivisions are already in the process of being developed, it would generally not be possible to reconfigure the subdivisions to meet current land use controls, including the conservation design development agreement policies.

#### Shared Private Driveways

The lots located within the above identified subdivisions are all accessed via shared private driveways. Some are relatively wide and well-constructed, while others are no wider than a single car width. All have a gravel surface and most contain NS Power poles and easements.

Staff contacted the Nova Scotia Department of Transportation and Infrastructure Renewal (DTIR) concerning access to these subdivisions. The Department reviewed the locations where existing private driveways access provincial roads. No concerns were identified that would preclude a small number of additional dwellings from accessing provincial roads at these locations.

In reviewing driveway access, DTIR raised issues concerning lots accessed by the shared private driveway known as Moser Head Road. An approximately 500 metre segment of Moser Head Road is recognized by DTIR as an "historical road", which is a segment of road that is owned but not maintained by the Province. This category of road is different from their roads that are identified as "Schedule K", which are also owned but not maintained by the province, as their physical presence and record of title are typically very obscure. DTIR indicates that it cannot grant access approval for lots that abut or would need to cross this segment of Moser Head Road due to its "historical road" status. In order to address this issue, land owners can apply to DTIR to transfer ownership of the segment to individuals or other entity, such as an organized homeowners' association. This process involves ensuring all properties that abut the historical road are supportive and that the transfer does not negatively impact access for other properties. DTIR indicates that the process typically takes between 6-12 months. Staff have contacted affected land owners to inform them of this matter.

As discussed in the October 4<sup>th</sup> staff report, the requirement for lots to have road frontage is common throughout Nova Scotia, and Canada more generally, for emergency vehicle and service delivery access purposes. Given this, the proposed LUB amendments that enable further development within the identified subdivision include requirements for shared private driveways. To ensure emergency response vehicles can access these properties, the proposed LUB amendments require the provision of an easement to a public road for vehicular access and require a minimum design standard by which the access is to be constructed before permits are issued.

#### Existing Developments

While the vast majority of permits are accurately issued, staff acknowledge that several permits were issued on lots that do not meet LUB requirements concerning road frontage. In order to recognize these developments, amendments to applicable LUBs are needed to ensure that any dwellings that received permits are identified as being permitted and, therefore, able to expand or be further developed with

accessory structures. Consequently, the proposed LUB amendments insert a general provision within all applicable community LUBs, excluding only Halifax, Dartmouth, Bedford and Sackville Drive where 10 hectare lots have not been created for development purposes. The LUB amendments specifically permit these existing residential uses that do not meet road frontage requirements.

#### Existing Regional MPS Policy Context

As discussed in the October 4<sup>th</sup> staff report, the Regional Plan controls rural housing development in a number of ways in order to support traditional service centres, manage environmental impacts, reduce long-term costs and preserve rural character. While community plans make a number of exceptions to road frontage requirements, the Regional Plan generally does not support the development of lots that do not front on a public or approved private road. As a result, the proposed amendments to the Regional Plan are intentionally limited to existing developments and specific subdivisions to maintain the general intent of the Regional Plan and ensure that new subdivision proposals are developed through established Regional Plan policies, such as the conservation design development agreement process. The limited scope of the amendments also helps to ensure that new subdivision proposals comply with Municipal subdivision requirements, such as parkland dedication provisions.

#### 10 Hectare Lots Not Included in Proposed Amendments

As discussed within the preceding sections, the proposed amendments are intentionally focused on existing developments and the six subdivisions identified. In focusing on these certain subdivisions, the proposed amendments do not impact the majority of the over 1,000 lots that are 25-50 acres in size that do meet road frontage requirements. These lots not covered by the amendments are located throughout HRM and include:

- isolated or small groupings of 10 hectare lots that appear to have been created for resource development purposes; and
- 10 hectare lot subdivisions that may have been created for future residential development that have not received Municipal permits or made formal inquiries recorded in HRM's files.

Lots greater than 10 hectares not included in the proposed amendment may continue be used and developed for a number of purposes, depending on the specific situation, applicable local regulations and such things as the opportunity to work with neighbouring land owners. In general, the options available under existing policies and regulations include:

- using existing road frontage exemptions tied to the date the lot was created;
- developing a new public road, limited to creating 8 additional lots;
- resource development uses; and
- development of new residential subdivisions enabled by conservation design regulations.

Although the proposed amendments are limited to certain subdivisions, staff also acknowledge that HRM has received a number of general comments and concerns related to rural development. Some of the topics raised include road standards, conservation design development agreement requirements and lot grading. In recognition that rural areas face unique planning challenges, the Planning and Development Department recently formed a dedicated team of staff to better focus and coordinate planning matters in these areas. While the proposed amendments focus on issues concerning the development of 10 hectare lots, staff intend to consider the broad feedback received through this planning process to inform the Department's on-going development of its rural planning work program.

#### Proposed Amendments

Staff considered the intent of the Regional Plan and a number of policy approaches when drafting the proposed RMPS and LUB amendments as set out in Attachments A and B of this report. In summary, the proposed amendments would:

- ensure that any existing residential developments located on lots that do not meet road frontage requirements are recognized as a permitted use and, therefore, able to expand or develop accessory structures;
- allow the continued development of existing lots located within the identified six subdivisions that received permits for some, but not all lots; and

- limit development within the identified subdivisions to low density residential uses on existing lots and subject to requirements concerning vehicular access, including proof of easements to a public road and minimum shared private driveway construction standards aimed at ensuring emergency vehicles can access developments.

### Conclusion

Staff have reviewed a variety of information concerning the development of 10 hectare lots and advise that the Regional Plan and applicable community LUBs should be amended to allow the development of certain subdivisions that do not meet LUB road frontage requirements and which have received permits for some, but not all lots. The limited scope of the amendments maintains the general intent of the Regional Plan while also building on the existing road frontage exemptions set out in various community plans. In addition, controls regarding the design and construction of shared private driveways ensure these developments can be accessed by emergency response vehicles. Therefore, staff recommend that Regional Council approve the proposed Regional MPS and related community LUB amendments as set out in Attachments A and B of this report.

### FINANCIAL IMPLICATIONS

There are no direct financial implications. The HRM costs associated with the MPS amendment process can be accommodated within the approved 2016/17 operating budget with existing resources. However, there is a longer-term financial risk that HRM may receive future requests to take over shared private driveways as public roads.

### RISK CONSIDERATION

There are limited risks associated with the recommendations contained within this report. While the proposed amendments contain provisions aimed at mitigating risks associated with enabling development that is accessed by shared private driveways, there is still a risk that emergency vehicles or other government services may have difficulty accessing individual properties. In addition, as noted in the above Financial Implications section, there are financial risks associated with the potential to receive future requests to take over shared private driveways as public roads.

There are no risks associated with the MPS amendment process. MPS amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board.

### COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website. Public feedback was accepted through the HRM website over a two-week period from Thursday, October 6th to Thursday, Oct 20th. During this period, HRM received a total of 253 written submissions. Common themes expressed in the submissions include the following:

- support for enabling the development of 10 hectare lots;
- general concerns related to rural planning and development;
- support for maintaining and enforcing established land use regulations; and
- concerns related to fairness for people who expected to develop a 10 hectare lot, or decided not to purchase or pursue development on such lots.

In addition to the feedback received through the HRM website, staff also corresponded with a number of property owners on specific questions about individual properties.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing, ads will be published within the local newspaper and HRM website.

Amendments to the Regional Plan and applicable LUBs will potentially impact the following stakeholders: rural landowners and developers.

### **ENVIRONMENTAL IMPLICATIONS**

No additional concerns were identified beyond those raised in the above background/discussion sections.

### **ALTERNATIVES**

1. Regional Council may choose to modify the proposed amendments to the Regional Plan and community LUBs, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Regional Council may choose to refuse the proposed MPS amendments and related LUB amendments. A decision of Council to refuse MPS amendments is not appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

Map 1	Identified 10 hectare (25 acre) lot subdivisions
Attachment A	Proposed Regional MPS amendments
Attachment B	Proposed amendments to applicable community LUBs
Attachment C	Public Feedback

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Ben Sivak, Principal Planner, 902.490.6573

Report Approved by: \_\_\_\_\_  
Kelly Denty, Manager, Current Planning, 902.490.4800


Report Approved by: \_\_\_\_\_  
Bob Bjerke, Chief Planner & Director, Planning and Development, 902.490.1627

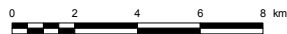
Report Approved by: \_\_\_\_\_  
John Traves, Q.C., Director, Legal, Insurance & Risk Management Services,  
902-490-4219

Original Signed



**Map 1 - Identified 10 hectare (25 acre) lot subdivisions**

 Identified 10 hectare (25 acre) lot subdivisions



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The accuracy of any representation on this plan is not guaranteed.



**Attachment A  
Proposed Amendments to the Regional MPS**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby amended as follows:

1. At the beginning of Section 3.4.3, amend the introductory sentence by adding the text as shown in bold below.

Special provisions are made in recognition of certain applications made and approvals granted prior to the adoption of this Plan, **as well as other unique situations.**

2. Within Section 3.4.3, Special Provisions and Other Growth Management Mechanisms, insert the text following Policy S-28, as shown in bold below.

**The HRM Charter enables lots that exceed 10 hectares in area to be created outside of the municipal subdivision approval process. This exception is generally intended for resource uses, such as farming or forestry. In recent years, however, it has become more common for people to utilize the exemption with the intent to create such lots for cottage or residential development. Although such lots can be created without meeting land use by-law requirements for road frontage, the lots must meet land use by-law requirements in order to obtain development permits.**

**In recognition of certain development permits having being issued for a limited number of single unit dwellings on lots created through the 10 hectare exception in the HRM Charter, Council approves relaxing the road frontage requirements and allowing the continued development of subdivisions that had received permits for some, but not all lots. This one time exception is intentionally focused on these unique situations to maintain the general intent of this Plan while being fair to affected property owners.**

- S-28A HRM shall, through the applicable land use by-laws, permit residential uses located on lots that do not meet road frontage requirements and were issued development permits on or before April 1, 2016.**
- S-28B HRM shall, through the applicable land use by-laws, permit development on lots that existed on or before April 1, 2016, and do not meet road frontage requirements within identified subdivisions that received development permits for some, but not all, lots located with the same subdivision.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of Regional Council of Halifax Regional Municipality held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Municipal Clerk

## Attachment B

### Proposed Amendment to the Eastern Shore (West) LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (West) is hereby further amended as follows:

1. Within Section 4.4, Reduced Frontage or Area, insert clauses (d) and (e) following clause (c) as shown in bold below.


#### 4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
  - (b) Notwithstanding the lot frontage and lot area requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of Part 14 of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
  - (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
  - (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**
  - (e) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses, excluding daycare facilities and senior citizen housing, are permitted on lots that do not meet lot frontage requirements provided the following conditions are satisfied:**
    - i. **the lot existed on April 1, 2016 and is located within the area shown in Schedule D;**
    - ii. **at the time of permitting, the applicant shall provide evidence satisfactory to the Development Officer establishing a registered easement in favour of the property that allows vehicular access to a street or road;**
    - iii. **where the vehicular access required by subclause ii is a shared private driveway serving four or more dwellings, it has been constructed, as certified by a professional engineer, to the design standards contained in Schedule E; and**
    - iv. **all other requirements of this By-law are met.**
2. Insert the attached Schedule D, Areas Subject to Reduced Road Frontage Requirements, following Schedule C.
  3. Insert the attached Schedule E, Shared Private Driveway Design Standards, following Schedule D.
  4. Within the Table of Contents, insert a reference to “**Schedule D – Areas Subject to Reduced Road Frontage Requirements**” and “**Schedule E – Shared Private Driveway Design Standards**” following Schedule C.



**Schedule D - Areas subject to reduced road frontage requirements**

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 Areas subject to reduced road frontage requirements

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## **Schedule E: Shared Private Driveway Design Standards**

Where specifically required by LUB provisions, shared private driveways that provide vehicular access to four or more dwellings shall meet the following design standards.

1. All shared private driveways shall have a minimum clear width of 9 meters (29.52 feet) as follows:
  - (a) Travel lanes shall be a minimum of 3 meters (9.84 feet) for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with gravel or a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
  - (b) A minimum 1.5 meter (4.92 feet) clearance (shoulders) shall be provided on both sides of the travel lanes and shall be comprised of stable ground as agreed to by the HRM Development Engineer in consultation with HRM Fire Services. The stable ground shall be designed to adequately support all emergency vehicles that may utilize the area to support their necessary operations.
2. All shared private driveways shall be constructed so as to prevent the accumulation of water and ice on any section of the driveway. Where the driveway grades are less than 0.5 percent, the shared private driveway shall be crowned in the center to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
3. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 9 meter (29.53 foot) driveway.
4. At least 4.26 meters (14 feet) nominal vertical clearance shall be provided and maintained over the full width of the shared private driveway.
5. Shared private driveways shall not have grades greater than 10 % with no change in grade over 8% in 15 meters (49.21 feet) of travel distance.
6. All cul-de-sacs shall be constructed with a minimum radius of 13 meters (42.65 feet) to the edge of asphalt and 15 meters (49.21 feet) to outside of shoulder.
7. All travel lane curves and turns at intersection, are to have a minimum 12 meter (39.37 feet) centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
8. The angle of approach and the angle of departure shall not exceed 8 degrees at any point on the driveway or its intersection with another driveway.
9. Sight distance shall be incorporated into the design of intersections.
10. If speed bumps are going to be constructed; acceptable warning signs shall be required

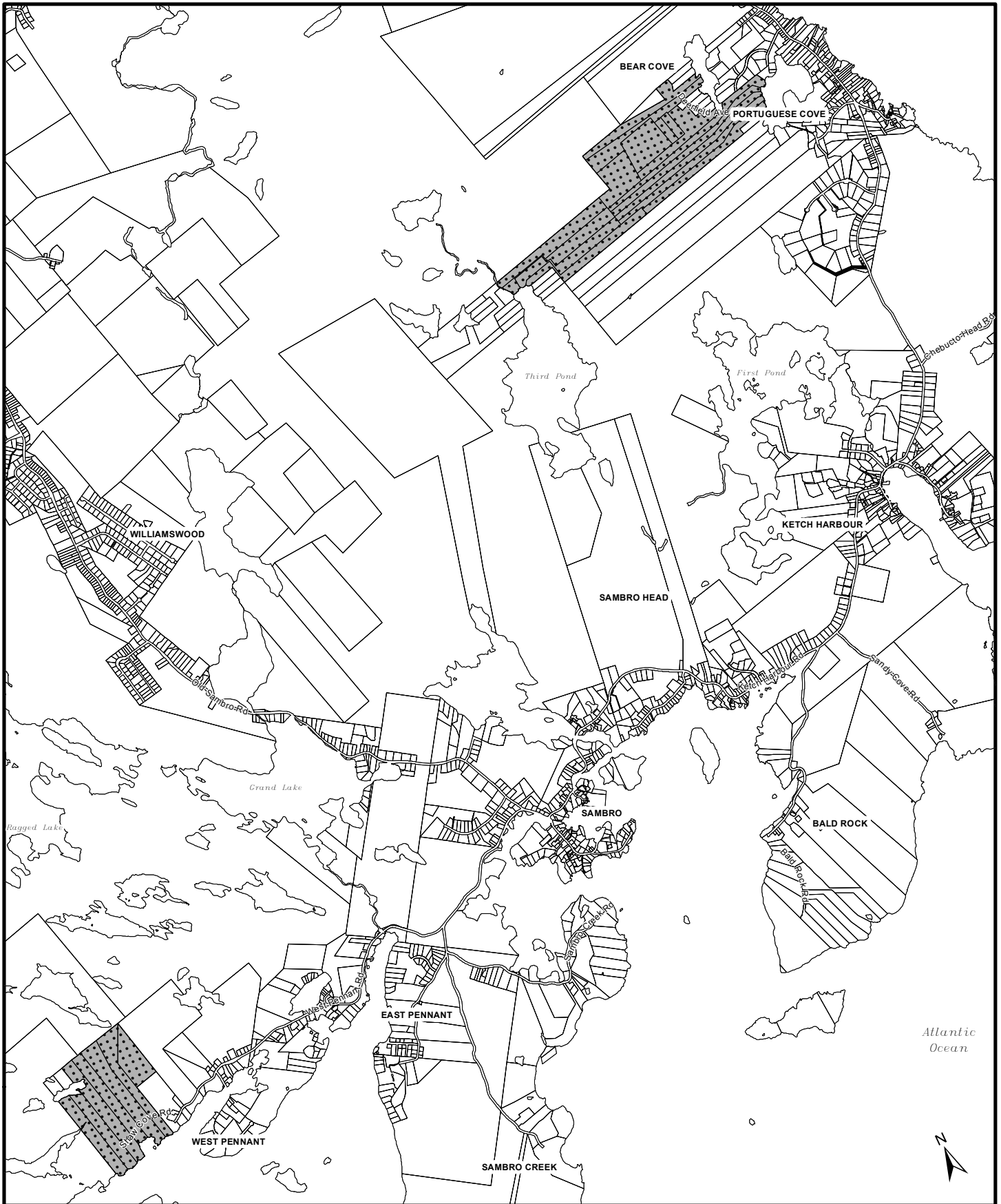
## Proposed Amendment to the Planning District 5 (Chebucto Peninsula) LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 5 (Chebucto Peninsula) is hereby further amended as follows:

1. Within Section 4.7, Reduced Frontage, insert clauses (d) and (e) following clause (c) as shown in bold below.


### 4.7 REDUCED FRONTAGE

- (a) Notwithstanding the lot frontage requirements found elsewhere in this By-law, lots may be created pursuant to the provisions of Sections 40, 41, 42 and 45 (RC-Jun 25/14;E-Oct 18/14) of the Subdivision By-law and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
  - (b) Notwithstanding the lot frontage provisions contained in this By-law, a portion of a lot identified as a road entrance reserve shall meet the requirements of the Department of Transportation or the Municipal Service System Guidelines, as applicable (RC-Jun 25/14;E-Oct 18/14).
  - (c) Deleted (RC-Jun 25/14;E-Oct 18/14)
  - (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**
  - (e) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses, excluding daycares facilities, are permitted on lots that do not meet lot frontage requirements provided the following conditions are satisfied:**
    - i. **the lot existed on April 1, 2016 and is located within the area shown in Schedule E;**
    - ii. **at the time of permitting, the applicant shall provide evidence satisfactory to the Development Officer establishing a registered easement in favour of the property that allows vehicular access to a street or road;**
    - iii. **where the vehicular access required by subclause ii is a shared private driveway serving four or more dwellings, it has been constructed, as certified by a professional engineer, to the design standards contained in Schedule E; and**
    - iv. **all other requirements of this By-law are met.**
2. Insert the attached Schedule E, Areas Subject to Reduced Road Frontage Requirements, following Schedule D.
  3. Insert the attached Schedule F, Shared Private Driveway Design Standards, following Schedule E.
  4. Within the Table of Contents, insert a reference to **“Schedule E – Areas Subject to Reduced Road Frontage Requirements”** and **“Schedule F – Shared Private Driveway Design Standards”** following Schedule D.



**Schedule E - Areas subject to reduced road frontage requirements**

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 Areas subject to reduced road frontage requirements

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## **Schedule F: Shared Private Driveway Design Standards**

Where specifically required by LUB provisions, shared private driveways that provide vehicular access to four or more dwellings shall meet the following design standards.

1. All shared private driveways shall have a minimum clear width of 9 meters (29.52 feet) as follows:
  - (a) Travel lanes shall be a minimum of 3 meters (9.84 feet) for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with gravel or a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
  - (b) A minimum 1.5 meter (4.92 feet) clearance (shoulders) shall be provided on both sides of the travel lanes and shall be comprised of stable ground as agreed to by the HRM Development Engineer in consultation with HRM Fire Services. The stable ground shall be designed to adequately support all emergency vehicles that may utilize the area to support their necessary operations.
2. All shared private driveways shall be constructed so as to prevent the accumulation of water and ice on any section of the driveway. Where the driveway grades are less than 0.5 percent, the shared private driveway shall be crowned in the center to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
3. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 9 meter (29.53 foot) driveway.
4. At least 4.26 meters (14 feet) nominal vertical clearance shall be provided and maintained over the full width of the shared private driveway.
5. Shared private driveways shall not have grades greater than 10 % with no change in grade over 8% in 15 meters (49.21 feet) of travel distance.
6. All cul-de-sacs shall be constructed with a minimum radius of 13 meters (42.65 feet) to the edge of asphalt and 15 meters (49.21 feet) to outside of shoulder.
7. All travel lane curves and turns at intersection, are to have a minimum 12 meter (39.37 feet) centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
8. The angle of approach and the angle of departure shall not exceed 8 degrees at any point on the driveway or its intersection with another driveway.
9. Sight distance shall be incorporated into the design of intersections.
10. If speed bumps are going to be constructed; acceptable warning signs shall be required

## Proposed Amendment to the Eastern Shore (East) LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Shore (East) is hereby further amended as follows:

1. Within Section 4.4, Reduced Frontage or Area, insert clause (d) following clause (c) as shown in bold below.

### 4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of Part 14 of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**



## **Proposed Amendment to the Musquodoboit Valley/Dutch Settlement LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Musquodoboit Valley/Dutch Settlement is hereby further amended as follows:

1. Within Section 4.5, Reduced Frontage or Area, insert the following text as shown in bold below.

### 4.5 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 107 of the Planning Act, S.N.S. 1989 and any lot created pursuant to PART 14 of the Subdivision By-law may be used for any purpose permitted in the Zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## **Proposed Amendment to the Planning Districts 1 & 3 (St. Margaret's Bay) LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 1 & 3 (St. Margaret's Bay) is hereby further amended as follows:

1. Within Section 4.3, Reduced Frontage and Area, insert clause (c) following clause (b) as shown in bold below.

### 4.3 (a) REDUCED FRONTAGES AND AREAS

Where a lot with reduced frontage is created pursuant to PART 14 of the Subdivision By-law, a development permit may be issued for residential or resource uses.

(b) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on November 15, 2003 may be subdivided and a development permit issued provided that:

- (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
- (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
- (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
- (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.13 of the this By-law; and
- (v) the remaining lands meet the requirements of the applicable zone. (WRCC-Nov 24/03;E-Dec 16/03)

**(c) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## **Proposed Amendment to the Planning Districts 14 & 17 (Shubenacadie Lakes) LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14 & 17 (Shubenacadie Lakes) is hereby further amended as follows:

1. Within Section 4.6A, Reduced Frontage or Area, insert the following text as shown in bold below.

### 4.6A REDUCED FRONTAGE OR AREA

- (a)** Any lot created pursuant to Section 98 of the Planning Act and any lot created pursuant to PART 14 (C-Dec 18/89;E-Jan 13/90) of the Subdivision By-law may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
  
- (b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## Proposed Amendment to the Planning District 4 (Prospect) LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby further amended as follows:

1. Within Section 4.5, Reduced Frontage or Area, insert clause (d) following clause (c) as shown in bold below.

### 4.5 REDUCED FRONTAGE OR AREA

- (a) Development permits may be issued for lots approved pursuant to Section 38, 43 or 43A (RC-Sep 8/15;E-Nov 7/15) of the Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is located, for lots created pursuant to Section 14.1 of the Subdivision By-law except for home business uses. (WRCC-Aug 23/95;E-Sep 18/95)
- (b) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on November 15, 2003 may be subdivided and a development permit issued provided that:
  - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
  - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
  - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
  - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.12 of the this By-law;
  - (v) the remaining lands meet the requirements of the applicable zone. (WRCC-Nov 24/03;E-Dec 16/03)
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## **Proposed Amendment to the Beaver Bank, Hammonds Plains and Upper Sackville LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville is hereby further amended as follows:

1. Within Section 4.6, Reduced Frontage or Area, insert clause (d) following clause (c) as shown in bold below.

### 4.6 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to the reduced frontage or area requirements of the Subdivision By-law may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) With the exception of the R-1, P-2, and any commercial or industrial zones, or lots serviced by central sewer and/or water services, the Development Officer may issue a development permit for a lot approved pursuant to Part 14 of the Subdivision By-law, provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:
  - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
  - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
  - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
  - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.11 of the this By-law;
  - (v) the remaining lands meet the requirements of the applicable zone. (NWCC-Dec 18/03;E-Jan 11/04)
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## **Proposed Amendment to the Planning Districts 8 & 9 (Lake Echo/Porters Lake) LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 8 & 9 (Lake Echo/Porters Lake) is hereby further amended as follows:

1. Within Section 4.4, Reduced Frontage or Area, insert clause (d) following clause (c) as shown in bold below.

### 4.4 REDUCED FRONTAGE OR AREA

- (a) Any lot created in accordance with Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage and lot area requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of Part 14 of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## Proposed Amendment to the Sackville LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Sackville is hereby further amended as follows:

1. Within Section 4.7, Reduced Frontage or Area, insert clause (f) following clause (e) as shown in bold below.

### 4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the frontage and area requirements found elsewhere in this by-law, where a lot existing on the effective date of this by-law has less than 120 feet (36.6 m) of frontage and abuts a street in which sewer and water services are available, the lot frontage requirement is reduced to 50 feet (15.2 m) and the lot area requirement is reduced to 5000 square feet (464.5 m<sup>2</sup>).
- (c) Any lot created according to the provisions of subsections (a) or (b) above may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to Part 14 of the Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to Section 14.1 of the Subdivision By-law except for business uses in conjunction with a permitted dwelling.
- (e) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:
  - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
  - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
  - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
  - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.11 of the this By-law;
  - (v) the remaining lands meet the requirements of the applicable zone. (NWCC-Dec 18/03;E-Jan 11/04)
- (f) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied**

## Proposed Amendment to the Eastern Passage/Cow Bay LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Eastern Passage/Cow Bay is hereby further amended as follows:

1. Within Section 4.7, Reduced Frontage or Area, insert clause (f) following clause (e) as shown in bold below.

### 4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 98 of the Part IX of the Halifax Regional Municipality Charter may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied. (HECC-May 11/09;E-May 30/09)
- (b) Notwithstanding the frontage and area requirements found elsewhere in this by-law, where a lot existing on the effective date of this by-law has less than 120 feet (36.6 m) of frontage and abuts a street in which sewer and water services are available, the lot frontage requirement is reduced to 50 feet (15.2 m) and the lot area requirement is reduced to 5000 square feet (464.5 m<sup>2</sup>).
- (c) Any lot created according to the provisions of subsection (b) above may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to Section 38 of the Regional Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to Section 14.1 of the Subdivision By-law except for business uses in conjunction with a permitted dwelling.(HECC-May 11/09;E-May 30/09)
- (e) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:
  - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
  - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
  - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
  - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.11 of the this By-law;
  - (v) the remaining lands meet the requirements of the applicable zone. (HECC-Jan9/03, E-Jan29/03)
- (f) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**



## Proposed Amendment to the Lawrencetown LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Lawrencetown is hereby further amended as follows:

1. Within Section 4.3, Reduced Frontages, insert clause (d) following clause (c) as shown in bold below.

### 4.3 REDUCED FRONTAGES

- (a) Notwithstanding the lot frontage requirements found elsewhere in this by-law, development permits may be issued for residential and resource purposes in the RR-1 zone on lots created pursuant to the provisions of Part 14 of the Subdivision By-law provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding subsection 4.3(a), lots which have frontage on Highway No. 207 shall not be eligible for the application of the reduced lot frontage provisions of the Subdivision By-law.
- (c) Notwithstanding the lot frontage requirements found elsewhere in this By-law, a development permit may be issued for a maximum of two (2) lots or one (1) lot and a remainder per parcel of land with frontage on Highway No. 207, and which existed on the effective date of this By-law, as specified in the Subdivision By-law, provided that each lot has a minimum frontage of one hundred (100) feet (30.5 m) and provided that all other applicable provisions of this By-law are satisfied.
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied**

**Proposed Amendment to the North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston (West) LUB**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston is hereby further amended as follows:

1. Within Section 4.11, Reduced Frontage or Area, insert clause (d) following clause (c) as shown in bold below.

4.11 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 107 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots which are created pursuant to Part 14 of the Subdivision By-law, for residential and resource uses in any zone, provided that all other applicable provisions of this By-law are met.
- (c) Notwithstanding the area requirements of this By-law, the minimum lot area requirement for an existing serviced area of land with less than an area of 12,000 square feet shall be (5,000) square feet (464.5 m<sup>2</sup>).
- (d) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## Proposed Amendment to the Cole Harbour/Westphal LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal is hereby further amended as follows:

1. Within Section 4.7, Reduced Frontage or Area, insert clause (e) following clause (d) as shown in bold below.

### 4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the frontage and area requirements found elsewhere in this by-law, where a lot existing on the effective date of this by-law has less than one hundred and twenty (120) feet (36.6 m) of frontage and abuts a street in which sewer and water services are available, the minimum lot frontage requirement is fifty (50) feet and the minimum lot area requirement is five thousand (5,000) square feet (454.5 m<sup>2</sup>).
- (c) Any lot created according to the provisions of subsection (b) may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to Part 14 of the Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to Section 14.1 of the Subdivision By-law except for business uses in conjunction with a permitted dwelling. (C-Dec 13/93;M-Dec 22/93)
- (e) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

## Proposed Amendment to the Timberlea/Lakeside/Beechville LUB

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Timberlea/Lakeside/Beechville is hereby further amended as follows:

1. Within Section 4.7, Reduced Frontage or Area, insert clause (f) following clause (e) as shown in bold below.

### 4.7 REDUCED FRONTAGE OR AREA

- (a) Any lot created pursuant to Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (b) Notwithstanding the frontage and area requirements found elsewhere in this by-law, where a lot existing on the effective date of this by-law has less than one hundred twenty (120) feet of frontage and abuts a street in which sewer and water services are available, the minimum lot frontage requirement is (50) feet and the minimum lot area requirement is five thousand (5000) square feet.
- (c) Any lot created according to the provisions of subsection (b) above may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.
- (d) Notwithstanding the lot frontage requirements of this By-law, development permits may be issued for lots approved pursuant to Part 14 of the Subdivision By-law as specified therein provided that all other applicable provisions of this By-law are satisfied, but no development permit shall be issued for a commercial, industrial, or community facility use, regardless of the zone in which it is to be located, for lots created pursuant to Section 14.1 of the Subdivision By-law except for business uses in conjunction with a permitted dwelling.
- (e) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:
  - (i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;
  - (ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;
  - (iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;
  - (iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.13 of the this By-law;
  - (v) the remaining lands meet the requirements of the applicable zone. (WRCC- Nov 24/03; E-Dec 16/03).
- (f) **Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits prior to April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of Regional Council of Halifax Regional Municipality held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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Municipal Clerk

## Attachment C

### Public Feedback Receive Through the HRM Website

Anonymous

10/06/2016 12:31 PM

I am concerned that these lots may represent a future burden to HRM in terms of maintaining roads, lighting and other aspects of infrastructure needs (water etc). If the owners sign a formal agreement that this is not the case and that this is written as restrictive covenants on the use of the property for the current and future owners, then there might be mechanisms to allow development of these properties. However, this might place additional burdens on the HRM administration that our city may not have the capacity to undertake. So there should be a fee paid to the city to cover costs of these land development applications.

Boudreau

10/06/2016 12:33 PM

I am concerned what kind of services they will want

Anonymous

10/06/2016 12:39 PM

I think subdivision needs to follow the rules and there should not be an exemption, especially in the case of building homes. I think land uses that may cause problems for neighbours or general public should not have exemptions, but follow rules in place, for example junk yard, dumping, fracking drilling and anything else that threatens or may change the water table, etc.

Anonymous

10/06/2016 12:40 PM

Basically, I have no problem..... Would a process to insure payment of services, garbage, etc on taxes be implemented? The private road would have to be snow cleared, by a private contractor by the owners on the private road. But garbage could be scattered if not collected regularly...so this is a challenge. Folks are not going to drag their green bin out to the road frontage if it is some distance. Common sense and easy solutions need to be a part of the decision so that the burden is not on the environment...too many times we have seen trash dumped off the beaten path, as a selfish act...and laziness, why not wait til garbage day.

Anonymous

10/06/2016 12:43 PM

Leave the law as is. There is no need for an exemption. Residences should not be built that do not have access & frontage on a public road. If the owners want to build on these lots they should arrange, and pay for building the necessary road access & frontage.

Anonymous

10/06/2016 12:46 PM

They should follow the land use by law just like all other owners

brw

10/06/2016 12:56 PM

As the Regional Plan prefers that new subdivisions occur within serviced areas, it is preferable to maintain the existing rules and ensure rural development occurs in a compact, transit-friendly form to enable future rural transit, water & wastewater service, garbage, etc. to allow the municipality to grow in a way that is cost-effective for all taxpayers.

Anonymous

10/06/2016 01:03 PM

The By-law road frontage is unnecessary and unwarranted for rural HRM. Such requirements create confusion, complexities and hardship which affect all concerned citizens.

Anonymous

10/06/2016 01:06 PM

Landowners should be able to build on land they own provided they maintain the private road/driveway to that land.

Anonymous

10/06/2016 01:14 PM

I think that the responsibility for due diligence in all cases of land redevelopment in HRM lies first and foremost with the developers seeking permits. Further, I do not favour any exemptions to existing, approved development regulations for 25 acre lots. In cases such as this, in which the staff of HRM granted development permits in error and in contravention of their own regulations, the developers should be fully compensated for the invoice costs of improvements already made to the properties in question. The properties should then revert to their original status before the granting of the erroneous permits. It's quite simple; we do not need further suburban sprawl.

Anonymous

10/06/2016 01:15 PM

I don't understand why HRM has a problem with lots that do not have the required road frontage. If the lot is large enough to put a driveway then there is no reason that it cannot be issued a building permit. Just because road frontage doesn't have a large road frontage doesn't mean that it can't be used to build on whether for residential or commercial. It's also not fair to people who purchased land and were not advised of this law to be penalized as a result. Just remember if there is a building put up on the lot HRM benefits in that they are collect additional taxes because it is no longer vacant land. It's actually a WIN WIN situation. People get to build and HRM gets to collect more taxes.

Anonymous

10/06/2016 01:28 PM

I can't see why they should not be allowed

Anonymous

10/06/2016 01:29 PM

Allow them

Anonymous

10/06/2016 01:35 PM

I do not like to see the individuals who unknowingly purchased lots planning to build be penalized. I am not sure how to proceed in those cases but feel some consideration should be provided. HOWEVER, I have great concerns that developers were able to use a loophole to proceed and wonder why it hadn't been closed. I have lived in Fall River most of my life. Development without adequate planning has led to traffic gridlocks, traffic/safety concerns and water issues. I would like to see impact studies be completed before any subdivision development is allowed to occur including the 25 acre lots being discussed above. I hope my comments are helpful.

Anonymous

10/06/2016 01:35 PM

I personally do not believe that land owners should not be able to develop these properties outside of the subdivision regulations. The development rules should apply to everyone equally, regardless of the amount of media attention that the owners are able to garner for themselves. While we are on a related topic, it annoys me to see individuals with land abutting on municipal waterfront property (Russell Lake and some Morris Lake lots) using the municipal property as if they owned it. In some cases the owners have made it almost impossible for individuals to walk around the two lakes. I am not including the land owners who have deeded waterfront properties in this comment, only those who are effectively taking possession of municipal waterfront property.

Anonymous

10/06/2016 01:42 PM

In rural areas, where large lots are the norm, landowners should be allowed to build residential properties as long as the road frontage is safe for location of a driveway ie. There is adequate visibility for pulling a vehicle out into traffic. To restrict this valuable rural growth, disadvantages areas who already suffer greatly reduced resources and investment which are generally directed to urban areas.

GMC

10/06/2016 01:45 PM

I think if someone has purchased or owns a 25 acre lot and they either have road access or a right of way then they should be able to build a home on that property. The amount of land on the road frontage should not matter.

Anonymous

10/06/2016 02:12 PM

I think that going forward refusing development permits on these lots would be appropriate, however, already created lots should be permitted to be developed as they were created in good-faith by individuals or companies who believed they would be allowed to build on them, as they always had been in the past.

Anonymous

10/06/2016 02:16 PM

minimum road frontage (in rural areas) is predominantly intended to prevent the creation of 'land-locked' parcels; ie. parcels that could be sold that would not be accessible from a public (or approved private) road. BUT, if the 25ac parcel was created with an appropriate right-of-way (ROW) or easement, this would provide safe/legal access to the property. perhaps the LUB could be amended to stipulate that permits would only be issued on 25ac lots that have an appropriate access easement/ROW to an approved road.



Anonymous

10/06/2016 02:26 PM

1. Speculative property buyers must do due diligence to know what their rights are BEFORE buying. 2. HRM employees who incorrectly granted permits are human and made mistakes. 3. HRM planners should not have to 'throw this to public consultation' in order to get backup from community to 'answer to the property owners'. 4. ALL THIS SAID, I don't know enough to about the particular location of the lots at hand and the site specific conditions at play in order to make any other worthwhile comments as to whether I 'think' HRM should grant further permits in these cases or not..... What do HRM planners think??

PeterG

10/06/2016 02:37 PM

As long as land use is restricted to residential construction and purpose, frontage requirements should be no longer required.

Anonymous

10/06/2016 02:40 PM

I think the law should be changed and they should be allowed.

baron

10/06/2016 02:43 PM

This is another disaster as a result of amalgamation, it never ends, combining rural with urban where everyone gets poorer and gets hassles harmonizing country with urban. It is a legacy issue. People should be able to do what they want on their land especially in this case, but if it needs services they should have to pay a big surcharge since they are now a part of wonderful HRM where everyone is either paying for what they don't need or can't have access to what they are paying for.

Anonymous

10/06/2016 03:08 PM

Need more info on what the intended use of these lots are and where they fit into the surrounding land uses. Is this a quarry in the middle of a suburban residential area?

Anonymous

10/06/2016 03:09 PM

In general I feel the road frontage requirement is an outdated relic from an era when tax payers were not concerned about the cost to maintain roads, hydro, fire, policing, bus, waste, and paramedic services. When one pauses to consider removing the frontage requirement would result in more homes, more residents, and more property tax base WITHOUT more miles of taxpayer owned roads this is a win win. The only losers are people who don't want neighbors and there are lots of extremities of NS crying for more residents. Abolish the frontage requirement as a first step to property tax reform so that I don't have to subsidize as many services for those who live outside the urban core. You should also consider the carbon footprint savings of driving all those garbage trucks and services the same distance to service more homes. Street frontage is an ideal from the 1960's when the largest window on your home faced the street instead of the sun. Now smart homeowners orientate their home to face the sun regardless of where the road happens to be.

Anonymous

10/06/2016 04:00 PM

If the NS government allows us to subdivide land into 25+ acre lots regardless of frontage, we should be able to develop them.

Anonymous

10/06/2016 04:00 PM

From what I can remember about the bylaw problem a few months back I think it's silly and people should be able to do what they want on their land.

Anonymous

10/06/2016 04:03 PM

I live in Cole Harbour and have a half acre lot, I don't know why someone shouldn't be able to build on any lot as long as it meets minimum frontage requirements which in the city are probably like 40 feet. I am a nurse and have heard from several of my clients the impact this has had on not being able to build on land they own and I think it is actually ridiculous that there is such a by-law.

Anonymous

10/06/2016 04:12 PM

It would be extremely unfair to deny building permits to people who bought these properties in good faith and have paid taxes, particularly where neighbouring parcels have been issued such permits, and this should apply to all such existing 10ha. lots. Going forward, HRM should work with the Province to amend legislation and bylaws simultaneously to create a system that provides for proper development controls that treat all newly created lots with fair and clear rules related to the development of any lots that fall outside the standard controls provided by subdivision rules.

Anonymous

10/06/2016 04:17 PM

I think that land owners with 25 acres that have been subdivided through the MGA and do not meet the land use bylaw should be able to get building permits. It is important to note that not everyone who resides in the HRM wants to live in an urban or suburban community. Some of us prefer a rural life and we should not be penalized for that. Other municipalities in the province allow building permits on these lots with only access easements and without frontage on public or private roads and public safety is not an issue there. In all likelihood those municipalities do not have access to the same level of emergency services as the HRM. ALLOW building permits on these lots!

Anonymous

10/06/2016 04:17 PM

I think they should be granted the building permit just the same as any other lot would, without any special requirements needed.

Anonymous

10/06/2016 04:19 PM

i don't really think about them

Anonymous

10/06/2016 04:32 PM

Lots should be able to be subdivided as long as they are transferred to an immediate member of the owners family.

Anonymous

10/06/2016 04:34 PM

I think that rural development should be relaxed. There is no reason that a private laneway that will be maintained between the homeowners should require road frontage per lot. As long as the lots can meet the requirements for well and septic the road frontage should be irrelevant. If you were to allow long and narrow plots to be used for multiple houses you would increase your density with less stops for garbage collection and create more affordable housing options in the rural areas surrounding Halifax. I think the same development rules should not apply in what was not considered Halifax prior to amalgamation. You stunted the growth of our community.

Anonymous

10/06/2016 04:36 PM

I don't see the problem with building on a 25 acre lot. I think the lots should be built on. Who the hell is the government to say there is a restriction on how big a lot can be?! Some people don't want neighbors!

Anonymous

10/06/2016 05:13 PM

Its not only 25 acre lots that are of concern what about lots that are large enough to build on but don't have 200 ft of road frontage if its good enough for 25 acre lots to have smaller road frontage it should also be applied to property that can be built with needs less road frontage needed.

Anonymous

10/06/2016 05:15 PM

You should not need 100 foot of road frontage for a 25 acre lot safety would be first does not take 100 feet on the road.

Anonymous

10/06/2016 05:37 PM

There must be many lots in rural Nova Scotia which have irregular shapes and road frontage to me is a minor matter for a 10-hectare lot. I would vote for a minimum frontage of 10 m as the "road" way back in history may have been a track through the woods. Such roads were likely never laid out with any planning procedures so it is unreasonable to apply rigid planning rules to such cases.

Anonymous

10/06/2016 05:45 PM

I think it is important for HRM to recognize that the rural portions of our municipality are unique and different than the urban and suburban parts. Amalgamation hasn't fared well in rural HRM because it felt more of a takeover than being included. We feel HRM has been treating us unfairly and over regulate our way of life. When it comes to the 25+ acre lot issue, we should be allowed to build on any piece of land we own regardless of public road frontage. One thing we value out here is privacy and sometime that means being very far away from any public roads. I understand from HRM's point of view it is a means to control us and how quickly we build but I think HRM should be more hands off with the former Halifax County. We should establish a boundary and create a subset of by-laws and regional planning tailored to rural HRM. What works in the city does not translate over to the rural areas.

Anonymous

10/06/2016 05:53 PM

I believe that the 25 acre minimum is of sufficient size to warrant an exception to the minimum road frontage rules. The municipal services to this property would be minimal as the owner would have to deliver garbage etc to a public license street. Policing and fire service issues does create one concern as in the case of a 911 call, therefore the blue street number system for property recognition is a must. Given the nature of rural NS, this can be overcome so that access is not problematic. The fact that a property owner has 25 acres also brings into question the number of dwellings allowed on the property. I believe that going forward, two is acceptable but any more would require approval and a higher set of standards.

Anonymous

10/06/2016 06:24 PM

I have real concerns about large lots being developed without enough road frontage. The access roads into these lots will not have enough width for roads to be built to standard. Emergency and service vehicles will have difficulty reaching some sites and residents will be coming back looking for upgrades and putting a burden on the rest of the tax payers. When this legislation came in 20 years ago we as residents evaluated it and accepted it. I had presumed it was being enforced. We are going to lose the feel of our rural communities with this hodgepodge residential development. I want to see green belts in HRM and more emphases put on the health of our waterways, rivers, lakes, bogs and salt marshes.

Anonymous

10/06/2016 06:32 PM

My parents own a wood lot on the West Ship Harbour road that is over 25 Acres, years ago my grandfather sold a small building lot to a neighbour to build a home for his family, from the original piece of land. Now that 25 plus acre lot does not have 100 feet of road frontage which makes it basically worthless as we cannot get a permit to develop it in anyway... The taxes keep going up but my parents are stuck with a lot that has been in my family for generations that is now USELESS!! except for a woodlot.... Myself or my brother are supposed to inherit said lot when my parents pass, the same as my father did 20 years ago..... If the rules are not changed we are basically inheriting a worthless piece of land that will cost us money every year in taxes but never be able to be developed!! This is ridiculous... It is worthless, no body will buy it what will they do with it? So a piece of land that has been in my family for generations is worthless, and going to be nothing but a burden! There are many of these types of lots in the Lake Charlotte area, I can think of 4 on the West Ship Harbour Road alone! This law is going to KILL any type of development in rural communities.... and that is a crime... My family and I love rural life and wouldn't even think of living in the city, but you are making hard for coming generations to get a start on life, or elders to finish out their life on their rural dream properties.... If there will be no change to the law then the rate of taxation on these lots should be drastically decreased as there is no real value in this land anymore.....

Anonymous

10/06/2016 06:46 PM

Low density urban sprawl is against all responsible environmental carbon neutral thinking and should not be allowed. All buyers of such 10 Hectare properties must be aware of this By-law and therefore are being fraudulent, if they are not aware, why not? Until rural and suburban mass public transit matches inner city mass public transit system there can be no environmentally responsible further housing subdivisions nor apartment complex development. The Provincial Liberals (really conservatives) should be ashamed of themselves for promoting wasteful rural energy/transportation carbon pollution on the backs of responsible high density urban city electricity users, walkers bikers! Disgraceful to walk out of the

Federal Liberals Paris Accord planning, its not about island mentality Nova Scotians, its about the people of this earth.

Anonymous

10/06/2016 06:58 PM

I think that building permits should be allowed on these type of lots. Many lots of this type have an acceptable private lane/road for access.

Anonymous

10/06/2016 07:18 PM

I think that the by-law enforcing this ridiculous ruling needs to be rescinded immediately. There should not be a 100' requirement on a public road. There is no need for that - whether public or private. There are lots all over HRM that are small flag lots that do not have 100' of frontage on a public road and they have all been approved for building. Common sense needs to prevail here. If this requirement were to stand, then there are thousands of acres of land that is now useless and worthless. HRM has no business taking the right to build on property away from landowners. These large lots are not contributing to over development - contrary actually because there would only be one home per lot, not 100's squeezed into approved subdivisions all over HRM that are being subsidised by the tax payer for services. HRM needs to start thinking about rural landowners and start respecting rural rights to choose where they live. The development of the core has been at the expense of the rural citizens and it needs to stop.

Anonymous

10/06/2016 07:24 PM

If lots are being developed for private use (i.e. building a house or cottage), I do not understand the rationale of the road frontage requirements. I find it disturbing that we live in a free democratic country and yet I can buy a piece of land and be told by the government that I can't build a house on it. Development for sub-divisions, etc is different - for personal use, where the construction does not interfere with neighbours, people should be allowed to build whatever house on whatever size piece of land they want.

Anonymous

10/06/2016 07:45 PM

It is hard to comment positively about this requirement having no context or reason why this was brought about as a by law in the first place. I can only assume it served some purpose for the greater good of HRM to inhibit urban sprawl or curb poorly planned subdivisions and development. It would seem that in the time it was effectively "in force" any building it was supposed to curb did not happen as the By law was only recently enforced. In my opinion, it currently is only affecting HRM constituents in a negative way and inhibits those who would benefit from the development of these lands in Rural communities. To my knowledge HRM has not yet benefited from this by law nor have they stated how HRM could.

Anonymous

10/06/2016 07:47 PM

I have no trouble letting people build structures in the middle of woods with no roads, as long as they sign an MOU or covenant or something that makes it clear that the Municipality has zero obligation ever to provide roads or services. I mean, if someone wants a hike-in cabin somewhere, is that an issue? Unless the problem is that people have lots with no road access whatsoever... In which case, please let's go tell the province to stop creating lots with no road access.

loki

10/06/2016 07:50 PM

I think if you own the land you should be able to do whatever you like with it. Especially when all you want to do with it is build a home. Change antiquated by-laws that (in many cases) don't make sense anymore. This should really be a non issue.

Anonymous

10/06/2016 08:01 PM

They should not be allowed to be developed. Everyone should have to comply with the same rules.

Anonymous

10/06/2016 08:04 PM

De-amalgamate and let "Halifax County" figure it out.

EVM

10/06/2016 08:15 PM

I think that the municipality should deny development permits on lots that do not meet road frontage requirements, but also work with the owners of lots that don't meet requirements for road frontage by considering exemptions to the moratorium on private roads on a case-by-case basis. In cases where a lot's location allows for the addition of a private road that would meet the terms of land use, a land owner could first gain a permit to create the road access needed to conform the lot to the existing road frontage requirements, then submit their application for a development permit once the road is complete and the lot meets all necessary requirements for approval .

Anonymous

10/06/2016 08:35 PM

If there's enough for a safe driveway who cares.

Anonymous

10/06/2016 08:49 PM

Too bad

JR

10/06/2016 09:16 PM

I think people should be allowed to build on lots that do not have public road frontage. I live on a 10 acre lot on a private road. Road maintainance and snow removal is provided by the residents of the road. I have other lots on the road which I may want to give to our children or develop in the future. These lots were not created for development they are old family lots. Some are more than 25 acres, some are less

Anonymous

10/06/2016 09:42 PM

Change the by-laws to permit residential construction. There are plenty of precedences around HRM and beyond.

Anonymous

10/06/2016 10:12 PM

If the city made a mistake approving them, then the city needs to reimburse the owners who, in good faith, moved ahead with development plans. The city should not change a zoning law, or upend the planning process to "fix" a mistake. If it needs fixing, fix it for the right reasons. If it doesn't need fixing then pay the people fair value for the mistake the city made.

Anonymous

10/06/2016 10:16 PM

There are many 25+acre lots that were created before 2006 that were purchased for development or for building of a single family home, and not for "forestry or agriculture". Many of these lots do not have 100 ft. of public road frontage and the requirement for them to have that before being issued a building permit is a prohibitively expensive requirement that effectively renders the value of the lots to zero, as it would be more expensive to put in a public road, than the value of the lot(s) would be after the road was put in. Hence, this requirement is an unfair burden on the owners. What is wrong with having a residential property on 25+ acres with a private road? Why can not those with very large parcels put in private roads and subdivide into smaller lots? Such development creates jobs and improves the tax base. Furthermore, it is a fundamental right of land owners to be able to build on their land without incurring exorbitant costs and restrictions. It is also a fundamental right to be able to purchase a large lot with the intent of subdividing it to help pay for it, or to pass on to family members. Sincerely, Morry El-Badry Owner of 153 acres in Cape Jeddore, and 29 acres in 3 Fathom Harbour.

Anonymous

10/06/2016 11:37 PM

I think road frontage requirements need to be reviewed for those who are not housing developers but rather someone just wanting to build a house on the property. Obviously the landowner in that case would have to deal with the issues due to lack of frontage but that should be up to the individual.

Anonymous

10/07/2016 12:03 AM

If the entire project doesn't meet it, then no. However, if a certain percentage say 20% doesn't but the other 80 does, then there has to be special process to handle it.

Anonymous

10/07/2016 05:05 AM

If they are under agreement for forestry and or farming than it is not an issue. Said 10 Ha lots should not be allowed for residential or commercial property development.

Anonymous

10/07/2016 05:32 AM

Don't let them build. One person or family doesn't need this much land. It will exasperate problems in the future.

Anonymous

10/07/2016 05:42 AM

There should be no restrictions on these lots. As long as they have Road Access they should be able to build on them. All they need is enough frontage for driveway.

Rickn

10/07/2016 05:47 AM

As long as the property has some access to the road be it by ROW or direct access there should be no restriction on development. The length or width of the drive way is no concern to HRM as they do not maintain it.

Anonymous

10/07/2016 07:13 AM

Development should be allowed provided it is a single use dwelling or house and has proper signage for emergency situations. I would be opposed to any subdivision ideas or development.

Anonymous

10/07/2016 07:40 AM

If I understood the logic behind the law but I see no significant impact to the municipality. However the impact on the landowner and their family is so significant.. If in fact the burden is greater for services then limit the services or allow the local area to handle some of them but to take one's land rights is atrocious!!!!

Anonymous

10/07/2016 07:41 AM

I think there should be different considerations for rural areas. We need people who have lots of money to invest, to put up big houses on big lots, they bring jobs and investment to the community and make the community stronger. I can see that 'estates' are not wanted in the city core, but please let people follow their dreams 'in the country'. Otherwise they will be going to provinces where their investment is welcome

Anonymous

10/07/2016 07:57 AM

Myself being a landowner in Clam Harbour, my Grandfather willed his land which was over 100 acres to his four grandchildren. My cousin tried for a building permit, but due to the restrictions he was unable to, basically making the land useless. I believe as long as there is a right of way in place to access the property one should be able to develop the property and the current bylaw stricken from the books.

Anonymous

10/07/2016 07:58 AM

It should be up to the developer (owner) to create a road to meet the requirements for road frontage. If this is not occupied by people leave it as nature intended. There should be no concerns of fire or anything else.

Anonymous

10/07/2016 08:05 AM

My name is Linda Bayers. I own a residence on 4 acres in West Petpeswick. People move to and buy houses or land in the country for lots of space, privacy, life style. If they have 25 acres, they should be able to build on it. Developers should be able to acquire building permits on behalf of those wanting to



build a residence. One should be able to access a public road via a private road to the public road. They would be responsible for building and upkeep of road. Failure to acquire permits adversely and economically affects the homeowner, developers/contractors, construction supply businesses, and employees who have families to provide for and business expenses for tools of the trade.

Anonymous

10/07/2016 08:28 AM

I can't see why the road frontage requirements should be any different for larger lots. And I think the spotty enforcement rules leaves HRM exposed to a successful challenge by way of officially induced error

Anonymous

10/07/2016 08:33 AM

The planners should give up on trying to jam everyone into the city. People no longer have to waste time and fuel to drive to work in a tower; many people work electronically from home, and more business development in outlying communities is allowing people to work close to home. This is 2016, not 1961

Anonymous

10/07/2016 08:40 AM

I believe that the lots should continue to be required to conform to existing by-laws. By-laws should not be changed to accommodate the wants of a few people.

Anonymous

10/07/2016 09:11 AM

Yes keep your jargon filled laws on 10 hectare lots but just as you continually do for developers in Halifax and Dartmouth absolve the families that already have these lots and change the rules for them. Then you might tighten up your rules for all future buyers, whether through realtors or not to go through unified governmental bodies before any sale is allowed!

Anonymous

10/07/2016 09:20 AM

I firmly believe if a 25-acre lot owner can get a provincially approved access to the lot, a provincially approved septic system permit then he or she should be granted a building permit. The hundred foot public road requirement is not necessary under the above noted conditions. Rural Nova Scotia needs all the help the municipality can provide to help create jobs outside the city. Ken Burrows Sr [REDACTED]

Anonymous

10/07/2016 09:26 AM

I believe that land owners who do not have 100' of public road frontage should be allowed to build on shared driveways and/or private roads. Furthermore, I support landowners right to subdivide their land into 25 acre parcels and pass it down to family members and/or sell it for residential purposes. It does not matter if the lots existed before hand, if they were sub-divided under the HRM Charter exemption 278.2(a) or if current owners subsequently purchased these types of lots and did not directly sub-divide them. Landowners' development rights should be restored to the "norm" that was in place before this issue arose in February, 2016. There is no language in the Charter that implies or states what the intended land usage is for large lots. The legal mechanism for intended land usage is "land zoning" and is

the responsibility of the HRM under the appropriate municipal planning strategy guide. Regardless, intended usage is irrelevant if it is not codified as a provincial law or municipal by-law. The issue, however, is not how the lots were created; but if they have 100' of public road frontage. Many people purchased these lots before the adoption of the master plan in 2006 and the subsequent moratorium on private roads. In many cases these private roads existed before 2006, but when the moratorium was put in place there was no process to grandfather or retroactively approve them - despite many having homes on them at that point. Homes on shared driveways/private roads drastically increase revenues to HRM while not costing any funds in terms of road construction or maintenance. As long as the HRM is crystal clear that they WILL NOT acquire or take over private roads in the future there is no risk to the municipality. This can be accomplished by requiring a deeded right of way to a shared private road and/or a public road and it will put a burden on the property deed, tipping off real estate lawyers to the fact. Furthermore, the right should be extended to the next generation. They may or may not want to subdivide lands (creating new PIDs) for residential development. With regards to rural character, in all due respect, ask the residents of those communities what they want and give their voices more weight than people outside those communities. People in the rural communities WANT new people, they WANT the construction economic activity and they WANT the additional business that new citizens will bring. At a density of 1 home / 25 acres these lots will not contribute to traffic congestion or water quality/quantity issues. They will also preserve our natural environment far better than the Natural Resources department does when it allows clear cutting and pesticide spraying. In my particular case I own 30 acres of land and at most we will disturb ~1/2 acre. The remainder will be kept in pristine condition for my daughters' generation, and hopefully her children after her. Thank you for your time, George Hornmoen Lewis Lake (also own property in Lower West Jeddore)

Anonymous

10/07/2016 09:39 AM

You should be able to build one house or cottage on land as long as you have a deeded right of way to a road frontage.

Anonymous

10/07/2016 09:57 AM

The property owner should be allowed to proceed with development and obtain such approvals as are necessary to allow building and occupation of residential homes. We wish to be kept informed as this matter develops. If staff develops a proposal, it should be circulated to the public for their comment before being put before council for final approval. Walter and Maureen Yeadon Brookside, NS (HRM)

Anonymous

10/07/2016 10:29 AM

I think that people who buy land should have to follow the by laws that come with the land. I feel we are living in a me society where everyone is out for themselves! Not enough road frontage too bad for the owner of the land!

Anonymous

10/07/2016 11:04 AM

Listen up, put up some affordable housing for seniors

Anonymous

10/07/2016 11:09 AM

Get with the real problems we have here, low income housing for seniors, really you will be one someday, not easy on a pension, Halifax housing authority is useless, never any openings for years, come

on get on with the truth,we have available land put it to profitable use.Can not wait for the next ELECTION.Proof will be shown who is doing their job.

Anonymous

10/07/2016 11:55 AM

I think that the by-law should be amended, especially given there were citizens that were not aware that this by-law even existed when they purchased or bequeathed the land to their family. HRM needs to step up and make the changes to this by-law to allow families to build on their properties.

Anonymous

10/07/2016 12:08 PM

I think it is mandatory that residents be able to develop these RURAL lots.

Anonymous

10/07/2016 12:09 PM

Delete this By-law, it is archaic.

Anonymous

10/07/2016 12:27 PM

They should be allowed to be built on and HRM Subdivision By-laws shouldn't apply. I believe HRM staff are being punitive in their current interpretation because they don't support subdivision being possible outside of the HRM Subdivision By-law. These rights are present because the Charter is a basically a mirror document of the planning provisions in the MGA. The MGA considered the differences between development control in rural vs urban areas yet HRM planning can't... ridiculous! HRM is providing no service and adding no value to the process.

Anonymous

10/07/2016 12:30 PM

I strongly support abolition of the current regulation/bylaw prohibiting residential use of property amounting to 10 hectares or more without a requisite amount of road frontage. My property has road frontage but I don't know whether or not it has sufficient road frontage to meet the current criteria. This issue is important to me given I own 40 acres of property on the western edge of the Brookside Road. I would appreciate it if you keep me apprised as this matter develops. If you have any questions please feel free to contact me at the email address or by phone [REDACTED] Michael Yeadon [REDACTED]

Anonymous

10/07/2016 12:31 PM

Road frontage minimum size should have nothing to do with it, as long as they have enough frontage for a driveway entrance (no shared drives). But they should be restricted to one residence to the property to stop any future subdivision of the property in the future and the possibility of over taxing the infrastructure, roads, highways, sewage, water, etc.. The burden of all future cost of necessary improvements would be place on the 10 hectare lot owners not the general Public of the municipality.

Anonymous

10/07/2016 01:00 PM

It seems to me that consideration must be given to the need for re-populating our rural area here on the Eastern Shore. Suburban style subdivisions are not needed. It would be useful to have a clear easily understood (meaning in plain language) design and permit process that facilitates land use and home building. The city must do better at helping our area to grow and flourish and if this means water and roads then yes. Restricting the development of roads while at the same time pouring millions into a convention centre and other developments isn't a reasonable plan for our area. Giving lip service to supporting renewal of our rural area isn't enough. A public review of proposals of 10 hectare lot development that is geared to development and not personal/family use needs to happen long before any permits are even considered. Bethana Sullivan Musquodoboit Harbour

Anonymous

10/07/2016 01:09 PM

I think that the propaganda surrounding the history is false. HRM claims it was only intended for resource development. Not true! 25 acre subdivision was also intended for family conveyances. I could agree in principal with the fact that HRM has the ability to reject development on 25 acre lots without frontage. I whole heartily disagree with fact that HRM not only issued the permits on all 25-acre lots routinely, they did not ever (prior to 2016) reject a development permit on a 25 acre lot because it did not have frontage. In summary if the lot is large enough by provincial standards, HRM should allow the private owners quite enjoyment of the land.

Anonymous

10/07/2016 01:37 PM

HRM should go back to allowing private roads especially in cases of dead ends that will never be extended in the future or never be made public for various reasons. Municipalities such as Lunenburg still allow private roads to be constructed and accepted as road frontage. However, councilors and staff should resist all complaints from private road residents since the Municipality has no responsibility for maintaining private roads. This should reduce the need for 25 acre lots. Thanks Barry Zwicker P.Eng.

Anonymous

10/07/2016 01:41 PM

I think that there are properties caught up in this that do not fit the original intention of this by law. I think a careful examination of the original intention of the bylaw, the reason(s) for its existence (what public interest is being protected by this bylaw?), and the harmful consequences that have resulted needs to be undertaken and the process needs to be transparent. I don't believe there has yet been an adequate answer to the question - what triggered sudden enforcement earlier this year? I think also there needs to be much more attention paid to the differing needs and requirements of urban versus rural, and that development in the rural areas should not be discouraged. People have a right to choose which type of life style they wish to pursue, urban or rural, and in which type of community they wish to live.

Anonymous

10/07/2016 03:15 PM

I think the municipality should adopt the provincial laws as all other areas do. I also think that HRM should not legislate so much, I believe they are trying to minimize red tape?

cat5910

10/07/2016 03:42 PM

Adjust the bi-law accordingly. If a private citizen is lucky enough to own land, and they can put in a road that meets with environmental concerns, then power to them. Look at that mess in East Preston with squatters. That is a far bigger concern.

Anonymous

10/07/2016 06:23 PM

I think the newly enforced rule is one of the most growth-hindering ideas HRM has come up with in recent history.

Anonymous

10/07/2016 06:28 PM

Disgusted by the treatment of the city's treatment of its rural growth , they cannot see the trees through the forest. Hate the fact my dreams of moving east to the coast have been squashed by someone who cannot think past the cities street. It's a " more money play " by the Halifax municipality to stunt growth in rural areas and force more people to live in that Poor excuse of a city. It's all for the the money , just as the amalgamation was meant to do. The city cannot support its own expenditure with its tax base so they take it from us , then they try to force us to move to them so they don't have to provide the services they provide so poorly for too much now. If the city and province was run by a more progressive open minded govt that would prefer to see real change and growth , it wouldn't be a issue , they never would have had to stoop this low nor would they have had to amalgamate the cities and county 20years ago.

Anonymous

10/07/2016 06:41 PM

Let them build and subdivide. Even smaller pieces 10 and over should be allowed to build and subdivide.

Anonymous

10/07/2016 06:52 PM

Hi HRM Council. Thanks for the opportunity to provide feedback in this way. We fully support the 'Save Rural HRM' cause. We are not major landowners; however, we are concerned we could be impacted similarly if this newly enforced rule is not corrected by council. This is not the first time we have seen HRM anti-rural actions being taken. We notice a steady attack on rural HRM through an urban-centric policy model that is not working for rural residents in HRM's vast city limits. When we decided to move from Calgary in 2008, we were fortunate enough to be able to choose where in Canada we wanted to live. As inter-provincial migrants, we based our choice on the belief that living within an hour of any large Canadian cosmopolitan city would be a safe investment. We realize HRM, or anywhere in NS means we don't have cities per say. Still, HRM operates like a city - with city limits. We wanted to live in the country, ideally a half hour outside the city, and we had always wanted to be near the ocean. Initially, we looked extensively at moving to BC, but we'd missed the real estate boom there. We looked at rural living in the Prairies and then decided to try exploring the east coast instead. In the maritimes we discovered a better quality of life as well as better land and home values, despite the higher provincial income tax. The economics of the area made sense at the time; in 2007 NS was still growing. We looked to buy in the Moncton area, then in the Annapolis Valley, the South Shore, and finally settled on the Eastern Shore. While we did not buy 25 acres with the intention to build a dream home, we still invested \$300,000.00 of our money into a beautiful home right where we wanted it to be in HRM: 1.8 acres and right off the #107, 30 minutes from the City. After moving here, we learned about the 1996 amalgamation. Looking back, had we known about the impacts of amalgamation 18 years later, we most likely would not have bought a home in rural HRM. While I still believe that our investment is relatively secure for now (if we wanted, we likely could sell our house for about as much as we initially paid for it). We fear it will not appreciate on proper pace when compared to any other property near a large Canadian City in a similar radius due to the growth-sequestering effects of an urban-centric council. When comparing buying vs. renting a home anywhere in Canada, In order for the purchase of any house to make sense, homes in that area must also show an annual increase in value of 2-5%. If that doesn't happen, renting becomes a more viable option to maximize one's utility. That growth in value s not happening in rural HRM and the further up the shore in HRM one goes, the more severe that outcome. Some homes now in rural HRM are even selling

for less than they were in 2008 and less than the market value HRM taxes us on. Rural is emptying out. Shouldn't we come up with more progressive policies that encourage growth on par to other areas within Canada? More and more families are moving away from rural HRM for financial reasons; as proof we see a large number of abandoned homes in Clam Harbour and farther up the shore. The impact of this is that more and more people will choose not to buy here, not to move up in homes—worse, they might rent a home instead, or not move to this area at all. What will be left when all the people are gone? The result in this kind of thinking means less taxes for HRM in land transfer taxes. The other day we drove up the #357, through Stewiacke, then across the 102, and then on to Selma to go striped bass fishing! Coming back, and besides the beauty of the area, we were struck by two things on the drive: first, when we saw the beautiful new welcome to Halifax Municipality blue sign put up ( we love the new HFX logo by the way). Second, we noticed how 'rural' the area is at the western line there. If we stopped the car and did a 360o pano, we couldn't tell the difference from East Hants Municipality to HRM Municipality. It is very rural and very real as far as differences go from living rural, 30 minutes out and to right in metro. Am I right in saying the tax rate per 100 on one side of the line is .86 and the HRM side is \$1.16? That's a big difference, one I understand actually. But decisions that take away rural growth is a mistake and one I hope is just an oversight. I am happy to see that HRM has assigned a dedicated team to help rural residents with HRM. It's a great first step. We have raised our two daughters here, and we love the area. we love Nova Scotia! We feel safe here. We consume here; we have bought cars, furniture, hardware, groceries, we have supported charities, seniors, and our schools, we volunteer quite extensively in our community, and we also paid our land transfer tax of 1.5%. We continue to consume in many ways. Our girls are heading to University in HFX soon, and we are proud to continue to contribute to the local NS economy as workers and consumers. We support #save rural HRM and we hope you will fix the oversight. Best, and thanks for the opportunity to provide feedback. Dwayne & Genevieve Sawchyn

Anonymous

10/07/2016 06:56 PM

I believe that those requirements should remain. My reasoning is that many people had to suck it up .If changing those requirements will actually have a back lash that will cost a lot of people. There is no idling for the thousands that have gone before and have had to live with the decision made. Not only large plots of land .

Anonymous

10/07/2016 08:53 PM

I think that as long as the land lot is coded for residential construction that the road frontage by-law should not be the reason a permit is turned down especially since there are already houses on these roads. Also rural HRM should be able to grow - this by-law is not allowing growth - in fact it is doing just the opposite by denying growth. Please bring common sense back into these decisions and recognize that there needs to be different by laws between rural and the city. Natalie Stevens Musquodoboit Harbour

Anonymous

10/07/2016 09:43 PM

My name is Ian Burgess. I am a resident of HRM and a land owner of one of the lots being impacted in West Jeddore. Our lot is on a private road with 11 other lots, we have collaborated as a group to form an official Association, and we have upgraded and maintained our road over the years. Over the last 10 years three year-round residences were constructed under permit on our road alone, most recently this Spring. I have therefore had an implied assumption that we could develop our lot. In fact, we have all had this assumption - the assumption that as a land owner of land bought through a land developer, vetted by Real Estate Lawyer, that we have the inherent right to build. And despite HRM's claim that these lots are, "generally intended for resource uses, such as farming or forestry," HRM has applied, for the last 15 years, a "residential" tax rate to our land; and to other lots as well. How can HRM charge residential tax

rates on land that HRM is claiming was only ever meant for resource use? This further supports the assumption of development potential that we have all had. Ignoring a bylaw for 20 years and then suddenly turning it on with no thought or consideration for the impact of such a harsh and undemocratic decision is simply not acceptable. If development on these lands is not permitted then the areas where these lots are common will suffer vast negative economic consequence. People's long-term plans will forever be altered and the value of these assets will plummet to near zero. People will be left with no alternative but to partake in logging to try and recoup some of their lost value, and is this the type of development that we really want to see in and around our rural HRM communities? Lastly, people who have been permitted to build over the many number of years have often, like on our road, joined with others in their community to facilitate the management and upkeep of their road and community. If every vacant lot cannot be used for anything but resource use now, then the individuals who were permitted to build will be left in a state of undue hardship, because these types of association groups will collapse eventually, if not immediately, and the roads they manage will be left to deteriorate with full responsibility left to reside with those who have built. For all these reasons, people need to be allowed to develop their land for personal residential purposes. Please make the changes necessary to permit this. Thank you, Ian Burgess Land owner, West Jeddore

Anonymous

10/08/2016 07:01 AM

As long as it has a legal right of way private (driveway) to get to it, you should be able to build your home

Anonymous

10/08/2016 07:56 AM

Persons with property in these situations should be able to develop their lands for single family dwellings provided they meet the following conditions: 1. they pay for any road extensions or driveways, paved or not paved, to their respective dwelling 2. they pay all costs to have power extended to their respective dwelling 3. they pay for any costs associated with the extension of water and sewer to their property or use an on-site system for sewage and drill or dig a well 4. they would have to transport their garbage to a central location for pick up, at their cost 5. costs associated with storm drainage that the development causes would be their responsibility 6. perhaps a new set of by-laws for developments of this type of development should be considered

Anonymous

10/08/2016 09:22 AM

On lots that size that meet environmental concerns should be allowed to build reasonable residential structures. If they are on a private road, they can make arrangements to access public services (garbage, etc.) at the end of the private road. The private road should be required to be constructed so that emergency vehicles can easily and safely navigate to all properties on that road.

Anonymous

10/08/2016 10:02 AM

As a longtime resident of the "OLD" Halifax County I feel that the 1992 restrictions placed on rural development by the planning department has done a grave disservice to all the current and potential residents of this area. I see the plan to concentrate all new construction in the existing urban areas as myopic. It prevents the outside areas from growing and keeps the price of a house beyond the reach of numerous young families. The 25 acre lot size is just another requirement that was introduced without consideration to the fact that things are different in the rural areas. Subdivision of family properties and private roads/right of ways has in the past and could again be an alternative, restrictions would apply but not as strict as the present plan. The entire development policy for the rural areas of HRM should be looked at with considerations to allow controlled growth without applying city centered rules.

Anonymous

10/08/2016 10:19 AM

Amend the MPS to recognize the rights of such property owners to develop these lands consistent with NBC and common sense, which seems to be sorely lacking in this entire exercise.

Anonymous

10/08/2016 10:19 AM

The city cannot have their cake and eat it too. Unless the lands are "zoned" for other uses, the HRM has no legal right to stop an individual from building on their land. The frontage issue has great value in the city however it absolutely makes no sense in the rural communities. The HRM has no intentions of building new roads for an individual so unless you buy from a developer, there is little recourse in ever being able to build on your own property. And what is the fear exactly? Allowing development on 25 acre lots ensures greenspace through low density housing. The safety excuse is insufficient and laughable. There is an entire cottage industry across Canada that would implode if they adopted the same logic. If a road / driveway are good enough to facilitate the construction of a house, it will be more than adequate for emergency and service vehicles. Common, you know this to be true so stop using this as an excuse. The other justification for limits is to control development in concept and specific areas. The true rural communities cannot grow under that plan, developers have not flooded the rural areas to build small subdivisions because the math does not work and thus makes no economic sense. It is great to say you want rural growth but this needs to be supported. Since 2006 the Eastern Shore eastwards of Chezzetcook has actually declined in population and is dying a slow death. What is your plan for those areas? LET INDIVIDUAL LANDOWNERS BUILD or pass down their lands for family to build. The HRM will reap taxation benefits and maybe the rural communities will actually have a future so the younger generation is not forced to leave. The Regional Plan is failing most of the rural areas. FIX IT PLEASE!

Anonymous

10/08/2016 10:25 AM

Individuals should be allowed to contract with each other as they see fit, for example, creating servient/dominant rights of way. If that's how a landowner accesses a road, and the road frontage landowner agrees, I see no reason to prohibit such personal contracts.

Anonymous

10/08/2016 10:41 AM

I am in favor of the owners of large parcels (25 acres or more) of land being able to obtain a bldg. permit to construct a residential home etc. We pay a lot of tax each year with a good portion of this property classified as "RESIDENTIAL TAXABLE" but unable to do anything with it. Please consider making positive amendments to this LUB!

Anonymous

10/08/2016 11:58 AM

No issue. They should be able to build.

Anonymous

10/08/2016 12:19 PM

I think that the city is hiding something. Why after all these years are they enforcing a law that has been overlooked for years and others have been able to build. Something doesn't add up, why now, why put so



much hardship on the families that have now purchased worthless land they can no longer build on. Then tell them to wait a year to maybe build next year as you think about the by law??? Really??

Anonymous

10/08/2016 12:52 PM

The 100 foot road frontage requirement in rural areas (regardless of lot acreage) is not justified. This requirement stifles development, discourages much needed investment, and imposes an unnecessary burden on landowners in rural HRM. The report briefly speaks to the intent of the 100 ft road frontage requirement (i.e. safety, access for emergency services, waste collection, and long term planning). However these reasons are not sufficient explained and do not justify the 100 ft requirement. The MPS and LUB should be amended to remove this requirement outright.

Anonymous

10/08/2016 01:29 PM

If this by-law was not enforced in the past and the HRM allowed houses to be built even though they did not meet the requirements then you cannot arbitrarily enforce it when it suits your plans without informing land owners that will be affected this.

Anonymous

10/08/2016 01:51 PM

I am in favor of the 25 acre lots that do not meet the land use by-laws road frontage because land use bylaws cannot anticipate all circumstances that may arise in HRM that would warrant such use. Some people may welcome the privacy or solitude such use may provide; Some areas are simply not, because of topographical features \, amenable to smaller lots; To protect HRM from future demands from present or future owners landowners of such parcels for the provision of public roads and such concomitant claims as fire protection, snow plowing or transit facilities the owners of such larger lots should relinquish all such claims within the property deed and possibly by the registration within the purview of the Registry Act of such relinquishment as a clause "running with the land(s)"

Anonymous

10/08/2016 03:29 PM

I think it is perfectly fine to develop such lots for residential use. The 100' frontage requirement is ridiculous. Garbage trucks don't need 100' to operate, these are unserviced lots so no issue there. Emergency vehicles can use whatever space they need. It is not the lots that are the issue - it IS the BYLAW that is the issue!! As usual, planners don't use common sense or keep up with current trends! Just make the necessary amendments to the bylaw to allow owners to develop their properties. They pay taxes now AND are obviously willing to pay more, once the property is developed. Stop the bureaucratic silliness and fix the problem.

Anonymous

10/08/2016 04:56 PM

Rural landowners should be able to build single-family dwellings on any property they own that meets or exceeds single-family dwelling land use size requirements regardless of 'frontage'.

Anonymous

10/08/2016 05:28 PM

A very archaic bylaw. Simple. We are very sad to hear that good people want to build a home and are not allowed to because of this bylaw. Overturn it now!

Anonymous

10/08/2016 06:03 PM

Rural landowners should be able to build single-family dwellings on any property they own that meets or exceeds single-family dwelling land use size requirements rules regardless of 'frontage'.

Anonymous

10/08/2016 06:03 PM

Rural landowners should be able to build single-family dwellings on any property they own that meets or exceeds single-family dwelling land use size requirements rules regardless of 'frontage'.

Anonymous

10/08/2016 06:37 PM

It would seem a better idea for land usage wise to allow these lots to be included in the by-law frontage requirements or have the requirements expanded to include these type of lots.

Anonymous

10/08/2016 06:48 PM

If people own land, no matter the size and are paying taxes on said land, then they should be able to build a home on that land. The government should be ashamed taking hard working people's tax dollars only to tell them they can't do what they want in their own property. It's as if the government is trying to devalue the land for some reason. Let these landowners build.

Anonymous

10/08/2016 07:56 PM

I think that there are a huge amount of vacant houses in rural HRM and we should be concentrating on renovating and keeping those houses occupied instead of building new houses. I also do not think that an exemption made for farms, etc. should not be used for residential housing builds. I don't think the bylaw is intended for residential properties and this group is self-advocating for profit.

Anonymous

10/08/2016 08:59 PM

I think this is crazy! HRM is focussed on the populated core at the expense of the rural areas. HRM is just too large and diverse to govern itself properly. With respect to this specific question, these properties are taxed at least partially as residential. School levies are part of the tax bill. How can either of these be if the lot cannot have a house built on it? The reason given is access by first responders. Wouldn't any size lot that did not have 100' have the same issue? Why discriminate against lots greater than 25 acres? The ship has already sailed. Up until a few months ago, HRM had been issuing building permits to lots of 25+ acres without 100 feet of public road frontage. Abolish the by-law or HRM should offer to buy these now worthless lots from the owners. Of course doing the latter will further stall the development of rural NS!

Anonymous

10/08/2016 10:20 PM

This is another tactic to stop growth on The Eastern Shore. Do not kid yourself by thinking that The National Park they tried to put through in the 70's has gone away. There is a reason The Eastern Shore has not had a lot of development.

Anonymous

10/09/2016 09:30 AM

I think we need to be flexible in considering how people use these lots. There should not be a blanket rule banning them just because the 'city' wants to preserve green space. If this rule is maintained, it would actually force people to clear-cut their land to get something out of it. Allow people to build in certain ways to preserve as much green space as possible on them will actually accomplish 'green' goals more effectively. Also, we desperately need more affordable housing options in rural areas to encourage young people and families to stay, and to enable our seniors to age in place gracefully. Not allowing development on large lots would hamper those efforts as well. Also, economic development in rural areas is critical. Construction is one of the few growth areas with really good jobs in rural areas. We need green space - for everyone - but rural HRM is not just a 'pretty park' area for the city people who come to visit once in awhile. It is where people live and should be able to work too. We are NOT just one big commuter shed feeding the city. See the vision for Musquodoboit Harbour for instance. We need balance.

Anonymous

10/09/2016 11:16 AM

25 Acre lots should be allowed to be built on. Approvals have already been given in certain instances. These past approvals should be the basis for all 25 acre lots that will be built on in the future. You collect the property taxes for these lots, but discriminate the lot owner from building on these lots. You use these taxes to keep building the downtown halifax core and at the same time use rural areas as your whipping boy

Adventurehat

10/09/2016 11:30 AM

Building on these lots should be allowed. In the past permits were allowed, you should use that criteria to allow future building on 25 acre lots

Anonymous

10/09/2016 03:08 PM

You should be allowed to build on any land you own no matter the size.

Anonymous

10/09/2016 03:46 PM

The bylaws are so outdated with the time, there is no extra cost to HRM only profit they will get in taxes. They have no roads to maintain therefore it should have never been an issue in the first place. HRM has way to much control over a landowners right.

Anonymous

10/09/2016 05:53 PM

I think it should be scrapped..I recently bought a 45 acre parcel of woodland that came with a 25 ft right of way. I should be able to get a permit to build a camp,or give it to a family member to build a home on it..

Jim

10/09/2016 07:13 PM

I probably don't know all the fine facts but the issue sounds more like the property owner should have deeded ROW access to public road access where things like waste collection, group mailbox and school pickup could take place.

Anonymous

10/10/2016 11:05 AM

I think this by law should have stayed in the file where it sat unused for many years. Why is it now being enforced? There is no logic to this by law in my opinion... from Musquodoboit Harbour!

Anonymous

10/10/2016 02:06 PM

It is a city slicker law. to destroy rural H R M

Anonymous

10/10/2016 02:55 PM

A person should not be permitted to build without road frontage. How does one expect to build, have access, have building material delivered, get to and from town? They must be able to have road access to enjoy their home/farm. If these are adjoining lots then it should have been up to the developer to put in a private road with access to the various lots. The private road connected to the provincial road. Developer does maintenance.

Bryn JV

10/10/2016 07:07 PM

All properties should meet by-law requirements for road frontage.

Anonymous

10/10/2016 07:35 PM

I would like to make a couple of comments on this. Many rural properties were acquired by owners years before HRM extended city boundaries and created current zoning and building by-laws. These people should be offered flexibility and reasonableness if they now choose to build on a lot or divide a piece of land into parcels so that children/grand children can build on it. They may not meet current road frontage requirements. I look at residential development in my area(Tantallon/Hammonds Plains) and see these flag lots and what developers are able to do to meet road frontage requirements and I think it is stupid. It may make the cost of road paving/ditch taxes more equitable but is a waste of property use in many cases. City staff need to remember that property owners are not developers in many cases and don't have the same resources for working through and managing by-law requirements. These rural properties will not have access to hydrants so driveway/private road by-laws will have to deal with fire service truck access and ensure that certain quality of road is provided.

Anonymous

10/10/2016 07:59 PM

We have owned two properties that meet this requirements, when you change regulations without notification of land owners you destroy peoples dreams.

Anonymous

10/11/2016 08:24 AM

If the intention is to try and build 10 houses on the 25 acre lot with a narrow private road, I'd say that may cause more problems for emergency response and road access. If it's for a single home, 25 acre's is enough for a house, septic a small field and wood lot so long as there is properly deeded road access to the property. The effects of having a home with out proper road access have been seen before.

Anonymous

10/11/2016 08:27 AM

HRM needs to recognize that rural areas of the province require a different set of rules to promote development. Without the ability to develop tracts of land that have been handed down through families, very little development can take place. Special agreements can be made with developers to ensure development and road maintenance meet ongoing needs.

Anonymous

10/11/2016 08:46 AM

Lots of 25 acres that do not meet the land use by-law road frontage requirements should be permitted as long as the lots have appropriate deeded right-of-ways and easements suitable for driveway access and utilities.

Anonymous

10/11/2016 08:55 AM

For a subdivision, it might make sense to enforce this 20 year old by-law. However, an individual who owns a 25 acre lot and wants to build his own home, should be permitted to do so. It is appalling that a) others were allowed and everyone at HRM was asleep at the switch and b) this is not arable farmland, much of it is rock & good for little else. What might make sense in urban Halifax does not necessarily make sense in rural Nova Scotia.

Anonymous

10/11/2016 09:33 AM

The land use laws have been in place for 20 years, rules are rules, these people need to get over it. The reasons for requiring 30m of road frontage are clear and make sense. I'm sure plenty of people have passed on the opportunity to purchase lots as they knew there was no way to get a permit, these individuals are just crying to get their own way.

Anonymous

10/11/2016 09:34 AM

I support the By-law amendment, HOWEVER it must be amended to allow for all future land owners to build where the road frontage is not on 100ft of a public road. It is NOT acceptable to grandfather in a few lots. I am a rural generational land owner in HRM and I am deeply disturbed at the lack of humanity and empathy that the Regional Plan, Regional Council and HRM Planning Department have for the rural residents including this By-Law. Notwithstanding the personal trauma this places on landowners and the fiscal devastation, these lands often follow the Nova Scotia coastline and highways and are the result of generations of land grants that have been parceled up and sub-divided for generations. To think that what was done in the past can be dealt with simply by today's Land Use By-laws is ridiculous. The real focus here by HRM and lets be clear is to reduce rural development. HRM through its RP+5 has demonstrated a clear intent to strangle rural development and this will NOT BE TOLERATED. Living rural is OUR RIGHT - if we wanted to live in the urban areas - WHICH WE DO NOT - we would. The Mayor, Council and the Planning Department would not be amending this By-Law if the rural residents had not protested. Councillors seem "confused" by the intent of the By-Law, and others down right heavy handed. Please

take this opportunity to show rural land owners the same respect you so freely give to downtown developers. We deserve and demand that our land use rights be protected and not impeded by a one-size fits all approach by HRM.

Anonymous

10/11/2016 09:40 AM

I believe it should stay as is. People come from all over to buy land here, only to turn it into what they are moving away from. I do not want to live in a province where every small lot has a home on it, all along the waterfront, blocking the view and enjoyment for others. If the 25 acre by-law stops this area from being developed, continue with it.

Anonymous

10/11/2016 11:40 AM

This really depends on what the land is being used for and whether the municipality is providing service to the property. If any waste collection, sewer and water, plowing, etc is required then the owners need to follow the LUB for road frontage. If there is no need for there to be road frontage for access of services then I see no issue.

Anonymous

10/11/2016 11:43 AM

They are woodlots and the purchasers would have been made aware by the Lawyer at the time of purchase that access is non existent or insufficient. I am not in favour of making any exception to permit development of these lots.

Anonymous

10/11/2016 11:50 AM

they should meet the land frontage laws

Anonymous

10/11/2016 12:16 PM

I think it's a rather ridiculous by-law that was designed without considering the implications it would have for rural landowners. Let them build their homes, let them live their lives. Property ownership is a fundamental right in a free and democratic society, and to tell someone they cannot build a home on that land is oppressive, unjust, and goes against common sense and decency.

Anonymous

10/11/2016 12:48 PM

Lots used for residential purposes, irrespective of size, have to have assessable road frontage in order to enable first responders, service vehicles, ie: power, fuel delivery or anyone else who may need to come to the residence access. If there is not sufficient public road frontage then, at the very least, a maintained (graded, plowed, etc.) private road giving access to the residence, similar to those in private subdivisions would be, at the very least, a must. Without any road access, the property is effectively land locked, and usable for anything other than a residence. Should an owner of a residence on landlocked property try to sell it as a residence, any qualified lawyer would advise a potential purchaser of the problem and I doubt a lender would consider a mortgage.

Anonymous

10/11/2016 01:11 PM

There have been a lot of flag lots created that do not have their access via their frontage. The argument that emergency vehicles access is not available on private roads puts property owners in the same position. I understand the position but how do emergency vehicles access the flag lot properties that driveway access is via easement ?

Anonymous

10/11/2016 01:44 PM

The By-law road frontage requirement appears to be an arbitrary requirement that was brought in to limit rural growth. There are numerous properties throughout HRM that are already on private lanes and they do not have frontage requirements. I see no need to have frontage requirements as it only impedes development and economic benefits of development. HRM does not incur any costs for road development or maintenance.

Anonymous

10/11/2016 03:10 PM

I am personally impacted by this recent enforcement of an old by-law. Having followed through rigorous due diligence to purchase the land several years ago and having paid residential zoned property tax for several years, I feel I should be able to build on the land like my neighbours have done so over the past 8 years. Development in rural areas benefits those areas, plus adds to the HRM tax base. Services are already offered to the other 4 houses on the private lane my property shares, so how could more houses on this lane be a negative thing? We already personally support the cost to maintain this lane and will continue to do so even after our home is built there. Thank you, Heidi Hornmoen, Lewis Lake

Anonymous

10/11/2016 03:19 PM

If a person bought a lot and the by law was never imposed and their neighbors have had the opportunity to build, these subdivisions or lots should be grandfathered and the owners should be allowed to build. If a person is on a private lane, and as long as the landowners maintain their shared road/driveway it is costing the city nothing. There will be no one wanting to build in rural areas if future lots created via subdivision do not enjoy the same rights as in the past. This type of development adds to the tax base without costing the city any money.

Anonymous

10/11/2016 04:19 PM

These lots should be prioritized as farm/forestry use lands. If developed as residential, the developer should be made responsible for securing and maintaining access road, services, electrical connectivity, and be strictly limited in the subdividing of the land, and ensure the rugged rural environment is maintained and sustained for the enjoyment of the limited number of people living within the development.

Anonymous

10/11/2016 09:09 PM

If they don't have frontage please do not allow development. In the future after houses are built in some labyrinth it will cost all tax payers exponentially more to service these lots. There will also be no means to ensure continued compliance with development agreements where access is limited or simply not given to planners, inspectors and service people. HRM has a real issue in that people who want to live in rural area want exactly the same service as if living in the city. People who have owned the lots have known these rules, they exist for good reason. Rampant rural subdivisions have their place - where rules allow them.

Anonymous

10/11/2016 09:14 PM

These land owners can build roads and service their lots like any prudent developer. They seem to miss the point of safety and service which costs all taxpayers in the attempt to shortcut the rules. If they don't have frontage build roads, if that cost too much it speaks volumes about the subdivisions quality.

Anonymous

10/11/2016 11:00 PM

Robin Bellisle - West Jeddore It's unbelievable that people have purchased land with their hard earned money in good faith using licenced real estate agents and lawyers who were unaware of this UNENFORCED bylaw for +20 years that is now sporadically being applied. Their land is now worthless and some are now homeless...where is the fairness and common sense and decency?

Anonymous

10/11/2016 11:17 PM

I support the current regulations concerning road frontage requirements. Changing these rules could have unforeseen and negative consequences for HRM. Such as people buying land designated for one purpose at a very low price, then claiming ignorance and insisting on using it for another purpose. These rules are there for a reason. I am actually a bit angry that this is even an issue. If someone buys property and doesn't check out ahead of time its zoning and its potential uses, why is this HRM's problem?

Anonymous

10/11/2016 11:20 PM

Start enforcing the by law and go after landowners that scoffed the bylaw until now.

Anonymous

10/12/2016 07:10 AM

I think 25 acre landowners should be permitted to build cottages or homes on their land as long as they have legal road access and meet all environmental requirements re: sewage etc. The requirement for a 100 foot road frontage, makes no sense at all.

Anonymous

10/12/2016 08:11 AM

The province only requires a 66 ft wide road to allow for more than a 3 lot development. Why would the HRM differ from this. Absolutely absurd thinking and backwards to much needed development. We need forward thinking here. Smarten up.

Anonymous

10/12/2016 08:46 AM

I think it's unfortunate that for so long land use rules were ignored and some people were allowed to develop when they shouldn't have. Buyer beware.

Anonymous

10/12/2016 10:30 AM



My name is Susan Myers-Levy, my spouse, Randy Levy and I live in rural HRM on Sober Island. I believe that if a lot does not meet the current land use by-law road frontage requirements folks should still be able to build, develop, or pass property onto family with the understanding that the lot is on a private roadway and is the sole responsibility of the landowner/s. We currently have two parcels of land that do not meet the by-law requirements and would like to have the opportunity to divide the property to: a) explore an experiential tourism venture, and, b) pass property onto our children and grandchildren. If you were in the situation that we are in would you not want to do something with your own property?

Anonymous

10/12/2016 02:27 PM

Don't destroy the forest, leave the 25 acres alone for the wild life to live. Thanks

Anonymous

10/12/2016 05:09 PM

They should be allowed. If the worry about private roads is that they are too narrow or not maintained for emergency vehicles to get through. Then what's the difference if I have a very long driveway on my 25+ acre property that's too narrow or not maintained.

Anonymous

10/12/2016 05:11 PM

Bylaw requirements are far too onerous, Simplify the Bylaws

Anonymous

10/12/2016 06:21 PM

Since Amalgamation there have been many instances whereby the By laws that were created to provide guidance to "The City Halifax" on many fronts including building, were obviously created and worded as they have been, considering primarily the "city of Halifax" and not considering there would still be a rural Halifax. As with many issues having arisen since amalgamation, the intent may have been righteous, but the simple logic is missing. In the core, the "city" it makes so much sense to have a 100' road frontage allocation. After all, a large part of the beauty of city life is it too can have homes built, that are not stacked next to each other like sardines. Yet in many instances we can look around the city and see just that, No 100' road frontage PER house rather shared with others. These areas tend to look ugly because they are the sardines. But we are talking about the country. Rural HRM, the "county" a place of open spaces and forest. Personal and building space. Loving your neighbor but not living on top of them. There is more rural HRM than will ever be filled because of the decreasing population and the ever growing demand for people to live next to their work in the downtown (or so we are told). Thus, whether a home is built on an existing road frontage, a new road frontage or shared with thy neighbor, the same rules DO NOT make sense for rural HRM. The lands of rural HRM are often very long stretches of land. In some cases a couple or few hundred feet wide but literally miles long. Back in the day, I mean hundreds of years ago, it made complete sense to have land distributed like this. And for those same hundreds of years families have had most of this land sit idly by, doing nothing, not being used for farming or forestry as might first have been thought would be the use. And for many years these lands have been taxed by the government even though not being used. The revenue generated from these tracts of lands has had a considerable benefit to what used to be the county and now the HRM and province. So now here we are in a different time and place. Farming and forestry are not what they once were, even not that many years ago. The fishery (where most families decided to work at versus farming or forestry) has all but dried up and certainly has, as a year round vocation. This different time and place. The 21st century and an HRM rather than a city and county. One set of rules for two entirely different lands. So now we are past that time when again By Laws that were put in place with (city thinking) councillors and staff need to be rehashed and re-written to be appropriate for the times we live in. People need to be able to use the lands

they have owned in some cases since the beginning. If they don't want their neighbors close, then that should be okay. If they want to be secluded, then that too should be okay. If they want to build four houses on a large tract of land with a private road shared by all houses that too should be okay. These are not lands that will ever require "city" water and sewer. The HRM concept was shoved down the throats of un-wanting peoples of the county. And now a By Law that impedes what country folk see as progress (albeit not a thought shared by city-folk) stands in the way of that progress. Within logical rules everyone should have the right to own the home they want. This By-Law is not logical given the environment of the times nor the huge county lands owned by families for centuries. Council needs to re-write this By Law to serve as a logical direction for land development in an area where it will never be "city" and let people get back to enjoying grassroots, family owned, country rural living. If I am a member of this upcoming Council I can assure you I will looking to be a part of this very revamping of By-Laws that do not belong on the books.

Anonymous

10/12/2016 06:24 PM

Re-submitting with name and address attached Gail McQuarrie, [REDACTED]  
Since Amalgamation there have been many instances whereby the By laws that were created to provide guidance to "The City Halifax" on many fronts including building, were obviously created and worded as they have been, considering primarily the "city of Halifax" and not considering there would still be a rural Halifax. As with many issues having arisen since amalgamation, the intent may have been righteous, but the simple logic is missing. In the core, the "city" it makes so much sense to have a 100' road frontage allocation. After all, a large part of the beauty of city life is it too can have homes built, that are not stacked next to each other like sardines. Yet in many instances we can look around the city and see just that, No 100' road frontage PER house rather shared with others. These areas tend to look ugly because they are the sardines. But we are talking about the country. Rural HRM, the "county" a place of open spaces and forest. Personal and building space. Loving your neighbor but not living on top of them. There is more rural HRM than will ever be filled because of the decreasing population and the ever growing demand for people to live next to their work in the downtown (or so we are told). Thus, whether a home is built on an existing road frontage, a new road frontage or shared with thy neighbor, the same rules DO NOT make sense for rural HRM. The lands of rural HRM are often very long stretches of land. In some cases a couple or few hundred feet wide but literally miles long. Back in the day, I mean hundreds of years ago, it made complete sense to have land distributed like this. And for those same hundreds of years families have had most of this land sit idly by, doing nothing, not being used for farming or forestry as might first have been thought would be the use. And for many years these lands have been taxed by the government even though not being used. The revenue generated from these tracts of lands has had a considerable benefit to what used to be the county and now the HRM and province. So now here we are in a different time and place. Farming and forestry are not what they once were, even not that many years ago. The fishery (where most families decided to work at versus farming or forestry) has all but dried up and certainly has, as a year round vocation. This different time and place. The 21st century and an HRM rather than a city and county. One set of rules for two entirely different lands. So now we are past that time when again By Laws that were put in place with (city thinking) councillors and staff need to be rehashed and re-written to be appropriate for the times we live in. People need to be able to use the lands they have owned in some cases since the beginning. If they don't want their neighbors close, then that should be okay. If they want to be secluded, then that too should be okay. If they want to build four houses on a large tract of land with a private road shared by all houses that too should be okay. These are not lands that will ever require "city" water and sewer. The HRM concept was shoved down the throats of un-wanting peoples of the county. And now a By Law that impedes what country folk see as progress (albeit not a thought shared by city-folk) stands in the way of that progress. Within logical rules everyone should have the right to own the home they want. This By-Law is not logical given the environment of the times nor the huge county lands owned by families for centuries. Council needs to re-write this By Law to serve as a logical direction for land development in an area where it will never be "city" and let people get back to enjoying grassroots, family owned, country rural living. If I am a member of this upcoming Council I can assure you I will looking to be a part of this very revamping of By-Laws that do not belong on the books.

Anonymous

10/12/2016 08:29 PM

So, HRM..what is the real issue with a land owner being able to build a house on a 25 acre parcel that doesn't have public road frontage? Your supporting documents don't answer that question at all for me. HRM stated that there are 1070 of these parcels, a small fraction that had building permits issued. Doesn't HRM have more important things to do than restrict a single family dwelling from being built on a 25 + acre parcel in rural HRM? HRM brags about being the largest rural municipality in the province..well they should start acting like it. There is no other rural municipality that refuses development /building permits on these 25 + acre parcels which are exempt from subdivision approval and don't have public or approved private road frontage , if they meet zoning requirements ( obviously they meet subdivision size requirements). The requirement for public or approved private road frontage of 100 feet or 200 feet in some areas for these 25 acre parcels is outrageous; most rural communities in HRM have a large portion of their development off the public road, on private lanes, rights or ways and shared driveways that HRM doesn't have to put a cent into for maintenance, snow removal , street lighting or garbage collection, while reaping the benefits of millions and millions in tax dollars. These private drives that are not huge ugly swaths through a small community, are what makes our communities attractive and quaint and what rural people want. The ugliest part of my small community is a large public road subdivision in the middle which detracts from the community, is overkill for the number of residences on it and yes, was required by HRM in order for the developer to sell a few lots. Ridiculous! This is another reason why amalgamation should never have happened. Let our rural communities develop in a natural and affordable way; we don't want to move to suburbia or urbania..we don't want suburbia or urbania to creep into our quaint and scenic communities. Stop putting these insane restrictions on the growth of our communities which only serve to cater to the larger developers in the end and create hardship for rural people. It is appalling that HRM did not have an exception in their land use bylaw to allow the issuing of permits on these 25 + acre parcels created using 278 (2) of the HRM charter, especially when the only requirement not being met is frontage on a public road. I see that HRM notified the surveyors when they decided to start enforcing this ridiculous rule, but there was no public announcement for people who would be directly or potentially affected by this or any public consultation around making such a change that would impact on rural land owners and communities. This is clearly creating a great deal of hardship for many land owners, and potentially many who don't know the issue that this has created for them. It is putting unnecessary constraints on our rural communities. The intention of the subdivision exemption is just that.. if it meets zoning and land use bylaws reasonably..it should not need public road frontage Rural HRM is not urban or suburban HRM; we live here because it is not. These ridiculous rules are just catering to the large developers in suburbia and making it impossible for small developers and land owners to create affordable housing in the rural communities

Anonymous

10/12/2016 09:12 PM

I believe that a large lot of 25 acres or more that have access by a private road that has common access and right of way in their deed, should be approved for home construction, as they have been for as long as the HRM has been around. I have seen many " flag" lots that are 2 or 3 acres in size and the road frontage isent fit to build a driveway on and all of the homes have access via a common private road. All of these lots get approved so how does this "frontage" law make sense.

Anonymous

10/12/2016 09:40 PM

I think HRM should abandon this ruling and allow the development of these lots.

Anonymous

10/12/2016 09:57 PM

I think that any lot of land that meets Nova Scotia Environment requirements for size should be allowed to be developed. A simple change of wording would allow this : All lots created on unserved areas will be taxed as if they have 100ft. of road frontage . Also I would like to see some minimum standards set for private roads that service more than 3 lots, something maybe that would be like the old unpaved subdivision roads .

Anonymous

10/12/2016 10:05 PM

I'd like to answer your question with some questions. Why does HRM tax these lots as "residential" if they do not allow someone to build a home on them? Does HRM expect the owners of these lots to live in the trees, or perhaps burrow into the ground? Those are not what I consider proper residences. Why did HRM approve building lots for many and then decide to suddenly change their minds and stop approving permits for others? This is what we call in the legal business a "precedent". Precedence is binding or persuasive in a court of law when deciding subsequent cases. This should be carefully considered by HRM if they continue to deny permits. What's the gain for HRM? Allowing residents to build will only increase tax revenue for HRM without any addition cost. Landowners maintain the road at their own cost. HRM is willingly denying tax dollars, while at the same time stifling the lives of rural residents. There is no question that there is an injustice happening with the sudden denial of building permits. These landowners want to create a life in Nova Scotia for their families, and these actions by HRM are putting their futures at risk. The right thing to do for landowners and HRM to is approve these building permits. If they do not, these people will soon move away to Malta or somewhere to find a city that will accept them. Kendall Younker, Timberlea

Anonymous

10/13/2016 03:20 AM

The policies that are in place need to be made more flexible or at minimum revised so that landowners and their respective communities can provide for their future. Amd please remember: " Continued development within "Rural Commuter" areas (as the affected properties are) makes economic sense to the entire municipality as it is additional tax revenue with no road maintenance cost to the municipality."

Anonymous

10/13/2016 08:20 AM

I believe the by-law is inappropriate in rural areas and is having a negative impact on the economy of Nova Scotia.

Anonymous

10/13/2016 08:25 AM

Cut the red tape, zoning bs start using tax dollars to focus on areas were planning is a problem. I support removing any bylaw that prevents people from building a home on a 25 acre lot

Anonymous

10/13/2016 09:29 AM

If people bought land under the impression that they can build, then it is wrong to not allow that; the money for that purchase was essentially wasted. As long as the landowners maintain their shared road/driveway it costs the city nothing. We should be allowing HRM to expand and grow, not making it more difficult for folks to build a life here.

Anonymous

10/13/2016 10:12 AM

2016-10-12 Austen Turner [REDACTED] Suburb of Musquodoboit Harbour with "Halifax" clearly marked on the local signage. [REDACTED] I have lived, worked and operated small businesses on the Eastern Shore my entire life. My entrepreneurial efforts through out my life have helped support approximately 150 people over the years who lived as well on the Eastern Shore. Because of the life I chose to live there was no "career" as such and there will be no ongoing pension or benefits to see me into the future. My Father put his trust in land and it's value. A persons property is important and can help sustain whatever needs to happen within ones lifespan. I have added to that property left to me by my Father as part of my plans for "my" future. I am nearing retirement now and through the efforts and decisions made by others (HRM) those previous decisions regarding the rest of my life have had to change. I have four sons who could possibly benefit from my previous plans as well but I'm doubting HRM has my family in mind when they consider development outside of what we used to happily call the "City Limits". I have in the past worked both for and as a contractor. In that past we were able to swing by a Dutch Village office and fill out some forms to gain access to the opportunity to build a home to the National (Canadian) Building code. Our taxes at that time sustained the "County" and the bureaucracy that was involved. Granted if we returned to that system today we would have to pay more taxes to help cover additional costs. The Province picked up the bill for infrastructure and our "Gas tax" supposedly went toward our roads. As a rural area we grew steadily, new subdivisions popped up regularly. Some homes were built on Province approved roads and some were built on private roads maintained by those who lived on them. During that time of my life I built some of those roads that were approved and taken over by the Province. (Autumn Drive for instance) Those of us in the "rural" area prosper as long as we have work. Development is work, new people who can afford a home mean work, more community means more support business which once again means work. And some of us who lived "outside" the old City Limits (because we like it) were happy to travel Provincial roads to gainful employment within those limits. My assessment numbers are [REDACTED] (my home) [REDACTED] (hopefully my new residence) [REDACTED] (part of my retirement plans) [REDACTED] (part of my retirement plans) - [REDACTED] (part of my retirement plans) To be clear..... I feel that anyone owning land of most any acreage should not be denied their right to develop that land. Anyone willing to spend monies to gain access to their property should not be denied a building permit. I would very much like to see more development in the Rural areas. I would like to be able to build a private road, properly drained and surfaced, on a 66' right of way, maintained solely by those people happy to purchase lots there. With a realistic set of specifications these types of road bed are easily maintained and cause no problems for "any" type of vehicle egress. As private roads they incur no cost to HRM.....hence the term "private". Please check your records and find out what additional costs there were for HRM with regards to either Owl Drive or Drake Crescent. Both are private roads, properly subdivided and maintained without cost to the tax payers. Both can be found off the East Petpeswick Road. All for your consideration. Regards, Austen Turner

Anonymous

10/13/2016 10:36 AM

I think that 25 acre lots are too large indeed. I have 23 acres +- with 130 ft. of road frontage. I have managed this property with selective cutting, building fireponds, planting thousands of trees so that my (2) daughters might have a hand-up in life only to be told that only one home can be built on this property. Ridiculous! With ocean and lake frontage this property could easily support half a dozen very private homes on a small, privately maintained road to no-ones detriment at all. If a property owner is willing to accept reduced service potential then that is the landowners prerogative surely? From hauling trash out to the side of the road to electrical or even fire service...that's my worry not yours. I pay my property taxes and yet do not even now reap the full benefit thereof given the rural locale of my residence. I'm not asking for comprehensive and complete service I'm asking that my common law rights as a landholder be upheld. As it stands now I should clear cut my acreage, stop paying taxes on those portions and let HRM have them as they only have worth for the fibre thats on them. This is not right.

Anonymous

10/13/2016 11:47 AM

I do not understand the city being able to telling people who have brought land-25 acres-that they can not build a home on it. Folks just want to get away from the noise, crowded streets with their neighbours almost sitting on their doorstep as is the case in many parts of the city. The province wants to develop the route areas, but this isn't the way to do it. If some folks were given permission to build then all folks should have the same rights.

Anonymous

10/13/2016 01:37 PM

Shouldn't be developed. Consider the safety of first responders (police, fire, paramedics) who'll need to respond to emergencies.

Anonymous

10/13/2016 02:37 PM

The existing LUB requirements for development are fine as they are in my opinion. There should be no exemptions from LUB requirements for residential or cottage uses on lots of any size. In particular, road frontage requirements are important for ensuring adequate access for emergency and utility vehicles, handling of storm water run off and providing other municipal services. It is incumbent on the creator of such lots or a purchaser planning to develop a lot to be aware of zoning and LUB restrictions or requirements for specific parcels prior to purchase.

Anonymous

10/13/2016 02:54 PM

I feel your question is not clear for those who are not aware of the situation. However, I find the by-law is grouping rural and urban under a scenario that does not fit both.

Anonymous

10/13/2016 06:28 PM

The Municipal Government Act section 268(2) lists specifically several situations where parcels of land can be created through various processes and do not require municipal subdivision approval. In this list is the 25 acre + parcel, but also many others including parcels resulting from a conveyance to crown, an expropriation by crown, an acquisition or expropriation by Municipality, etc, etc. I guess in fine HRM frashion you are going to go through the entire expensive process of resolving the 25 acre + parcel issue, and then each and every one of the other exemptions as the ugly truth comes out, wasting tax money and time and creating hardship for many more rural residents. Stop putting the blinders on and look at the big picture for a change. Any of these exemptions from subdivision approval, if the parcel meets zoning requirements and lot size requirements, should be able to be built on within reason..without needing 100 feet or 200 feet on a public road or approved private road. If most or all other rural municipalities grant permits on these, why not HRM? You constantly tote your self as largely a rural Municipality! The provisions were intended to prevent not unreasonably restricted development and to prevent hardship where a parcel of land was legally created, meet zoning requirements and are large enough to support single family dwelling development, for instance. So what if the owner has to ensure there is a driveway, non-approved private road or shared laneway to get to the house. Given the numbers you yourself quote..what is the big issue? This most appalling recent screw up by HRM where one of these exemptions in particular, the 25 acre parcel, is not granted development or building permits for a single family residential dwelling is unthinkable and must be corrected. You wonder why rural people want to de-amalgamate and have their county back. Wow..its pretty plain to me. I was present during consultations around the MGA and specifically the subdivision exemption provisions. It was always the intention of the province to be reasonable, not unreasonable in the development of these parcels..this is why the provision is there. HRM has no business changing this logic. HRM cannot just make up their own story as

to what the 'intention' of this 25 acre + provision was . IE for agricultural and resource purposes. The principal intention was the large tracts of land could be subdivided without the need for a very very costly full ground survey which often costs more than the land is worth and with barely any risk of someone placing a dwelling too close to a property line. It was not only to enable the dividing of resource land in a reasonable and cost effective way but also to prevent unnecessary and over kill processes on this type of rural residential development which would create hardship in less economically sound areas of our Municipalities across Nova Scotia. Your senior staff who dream up these polices and your councilors who think everyone should live in urban and suburban HRM, need to take a drive out of suburbia and see how rural HRM people live and how our communities develop and grow. HRM, start focusing on the real issues this Municipality has and stop making it difficult for rural development.

Anonymous

10/13/2016 07:37 PM

This law is impeding development in the rural areas of HRM - by impeding development, peoples livelihoods are negatively impacted... Surveyors, lawyers, electrician, plumbers and many other trades and professional depend on new construction. There does not seem to be any common sense behind this bylaw - there are plenty of private roads and laneways that work just fine - and HRM is not responsible to maintain these, so if there is not cost impact to the city, it is difficult to see the justification. I strongly believe HRM needs to re-visit this bylaw with stakeholder/public consultation.

Anonymous

10/13/2016 07:47 PM

Lots in rural HRM that are unserviced for both water & sewer and also exceed minimum lot requirements for sq ft. as the 10 hectare lots noted, should be exempt from the current application of a by-law for road frontage requirements of 100 ft....also the new requirements for lot excavation and certification in rural HRM and also for the same large lots makes no sense and causes additional hardships for rural HRM taxpayers, who continue to be assessed

Anonymous

10/13/2016 08:46 PM

We own a 78 acre lot, we intended to leave a building lot to our three children to raise their families in the community they enjoyed growing up in. I never agreed with the new by-law put in place to restrict development in most rural areas, I did attend three of your town hall meetings and came to the conclusion this decision was final and council approved it with very little input from 25 acre lot owners. Having a private road to my property is my responsibility and should not involve the HRM staff . I also think 5 acre lots should be looked into in any amendment process. Not many municipality's out their would prefer collecting taxes on a undeveloped property as apposed to a property with 3hk homes to tax to the hilt. The HRM staff should have a general meeting with concerned 25 acre lot owners prior to any amendment process. Regards Brian F. Flemming, Ketch Harbour

Anonymous

10/13/2016 09:12 PM

Allow the land owner to use the land ,that they have paid municipal taxes on, in any way they please.

Anonymous

10/14/2016 09:07 AM

they are large enough for a home,in fact likely several from a technical point of view. additionally the owner builder is prepared to put in an access road or driveway. thus hrm is not saddled with any additional costs or maintenance. not everything or everyone requires an arbitrary 30m public road

frontage. in fact that requirement often hamstrings some very innovative ideas and people. hrm really needs to get with the times and learn to help not hinder those who have invested in this city, whether rural or urban. for the record this issue is not only an eastern shore concern.

Anonymous

10/14/2016 10:37 AM

This is unreasonable. If there is a private road that intersects with the public road then there should be no issue and it should be allowed. The principle should be that the lot have access to public road. ...M. Merlin-Wilson, Lake Charlotte.

Anonymous

10/14/2016 01:47 PM

I think that Mayor and Council need to stop using the "one size fits all" model. Rural HRM is not the same as downtown. Request rural feedback and information prior to making such an important decision that directly affects constituents. This by-law does not work! Change it!

Anonymous

10/15/2016 08:20 AM

If they are on a private road and construction of a single family dwelling whether cottage or home, I think it is ok.

Anonymous

10/15/2016 10:27 AM

I don't understand the need for this by-law, especially in rural HRM. What purpose does it have? I see comments about safety and sewage, but, to me, these "concerns" do not justify this by-law! People who choose to live in rural areas understand that the services they receive are much different than their urban counterparts. I can see the need for this by-law in urban areas, where developers want city water and sewage included in their new housing developments, but this is never going to happen in rural HRM! Come on HRM, this should be a non-issue!

Anonymous

10/15/2016 11:32 AM

On these 25 acre lots, when for a specific purpose - cottage or single family home, for example, a reasonable accommodation should be available in HRM for this to be built.

Anonymous

10/15/2016 12:46 PM

They should qualify for a development permit but limit the permit to ONE development for each 25 acre parcel which does not enjoy public road frontage.

Anonymous

10/15/2016 01:01 PM

25 acre (or greater) lots should still qualify for development approval but would suggest limiting the approval to one development for each 25 acre parcel which does not have public road frontage. Seems to be a reasonable compromise.



Anonymous

10/15/2016 01:22 PM

You cannot make a "one size fits all" requirement (100 ft. minimum) and expect it to meet the needs of all situations. The initial discussion should be focused on how the 100 ft. minimum public road frontage was derived. The statement that "Road frontage is important for safety and service delivery" is a valid one ..... the necessity for 100 ft. (min) to achieve this, is the question. Would 75 ft. not work? How about 50 ft.? Maybe 25 ft. would work just fine. What about a private road accessing the public road?

Anonymous

10/15/2016 03:21 PM

This is just another unnecessary by-law "Rubber Stamped " by council because it was easy. Contrary to Councils' stand, this definitely inhibits growth in the rural areas, causes the properties to be useless, and prevents family members from building on family property. The safety and services reason is not valid, as a 38 year Vol. Fireman, never have I seen a problem with a private road or driveway that 100' of frontage would have rectified. .... PID [REDACTED] 59 acres that this by-law makes useless to my family [REDACTED]

Anonymous

10/15/2016 03:38 PM

I feel that they should be allowed providing that any private access road must be constructed to standards that will accommodate emergency and service vehicles and must be maintained at these standards.

Anonymous

10/15/2016 07:01 PM

These lots for residential use need to have minimum road frontage requirements of the existing by laws. Tax payers should be responsible in the future to provide services to these lots at additional expense. ie snow and garbage removal of private roads which are not build to hrm standards

Anonymous

10/15/2016 09:16 PM

Change the by-laws that are preventing people from obtaining building permits and stop assuming everyone wants to live downtown. HRM has no right to slash fair market values by 80%, using a dead by-law some 3 -piecer dug up from the grave all the while charging Residential tax rates, for the last 20 years.

Anonymous

10/16/2016 03:04 AM

There is no issue. If an owner or developer wishes to under-utilize a large parcel of land, let him or her. Perhaps the road frontage requirements should be reviewed, and maybe even allow for more dense development to be built on the parcel

Anonymous

10/16/2016 09:08 AM

In my view any lot that can be legally created should be eligible for reasonable as-of-right development (that being at least single unit residential) unless there are environmental constraints (for example soil or other conditions that would preclude the installation of an on-site sewage disposal system). Because of

the large size there should be relatively few of these lots created for residential purposes. The simplest way of dealing with this issue would be to amend the LUB to state that notwithstanding lot frontage requirements any lot created through provincial legislation is eligible for a use permitted in the zone. Make it clear that such lots are may not eligible for services.

Anonymous

10/16/2016 09:10 AM

There are three issues in this one issue. First, "enforced more vidulantly" is an admition that they are enforced unevenly and therefore unfairly. Second "municipal services offered more efficiently" means what services exactly? Garbage? Well, require onsite composting and municipal road garbage drops. There must be creative solutions rather than just saying no to development. Three, if ever there were a part of Nova Scotia - let alone HRM- that NEEDED development, it is the eastern shore! This is one of the most economically depressed areas and people need jobs. Trades. We need to building, to be contracting, to be hiring landscapers, excavators, painters, snowplow operators etc. there is enough conservation land to sink a ship on this shore. lets have a little development please. And at the end of the day, this wasn't an issue when the south shore was in development so why the eastern shore? Ultimately changing rules - and suddenly deciding to enforce an old rule when it had been ignored for years IS CHANGING the rules- is unconscionable This is unacceptable behaviour from the planners and our city and it is blatantly unfair on so many levels.

Anonymous

10/16/2016 09:25 AM

I think people should be able to own them and put a house on them

Anonymous

10/16/2016 10:38 AM

I think, once again, you are apply urban rules to rural ridings. Allow private roads once again. Set the criteria, 66' wide, graded, graveled and well maintained. A Road Maintenance Committee can be set up with a board of directors, registered with the Prothonatory Office. Additional amounts can be paid monthly, collected by the HRM and used for road maintenance. There is a provision now for this through the HRM. We do NOT want to live in the Baker Drive ghetto and want to be able to leave something to our children that is not worthless.

Anonymous

10/16/2016 10:47 AM

Andy Robins story is sad one! These people had there dream of escape to the peace of the country taken from them, through no fault of theirs. No one picked up on it, Now they are out over \$83000.00 dollars , Mike Young and his local crew of trades men are sitting home waiting for this injustice to be corrected, unemployed no money , this is harsh, mean ,many words come to mind but who will listen . Better still who will fix this! Remembrance Day is coming to celebrate hard fought free to enjoy our land , build our homes ,help our families, let we forget! We just had an election my two candidates got in yes mike and David . I am counting on both of you to fix this process so the Robins, Young's and many more are not stressed out and messed up by a system that needs fixing, sooner not later. Thanks for giving me a chance to say One Size does not fit All. [REDACTED]

Anonymous

10/16/2016 11:02 AM

Land owners who own property on private roads should be able to build residences without requiring 100' of public road frontage. The lot size and method of creation SHOULD NOT matter provided they are in a

land zone that permits residential construction. New houses on private roads provide tax dollars to HRM and don't increase maintenance fees that come with new subdivisions. Seems like if it my land I should be able to build, within reason, what ever I like on it. Jonny Haines Halifax

Anonymous

10/16/2016 11:29 AM

Andy Robins story is sad one! These people had their dream of escape to the peace of the country taken from them, through no fault of theirs. No one picked up on it, now they are out over \$83000.00 dollars, Mike Young and his local crew of trades men are sitting home waiting for this injustice to be corrected, unemployed no money, this is harsh, mean, many words come to mind but who will listen. Better still who will fix this! Remembrance Day is coming to celebrate hard fought free to enjoy our land, build our homes, help our families, let us forget! We just had an election my two candidates got in yes Mike and David. I am counting on both of you to fix this process so the Robins, Young's and many more are not stressed out and messed up by a system that needs fixing, sooner not later. Thanks for giving me a chance to say One Size does not fit All. [REDACTED]

Anonymous

10/16/2016 11:46 AM

Should be able to build on them.

Anonymous

10/16/2016 03:52 PM

Congratulations, to Mayor Savage and our councillor David Hendsbee, I hope to support both of you fix job killing regulations imposed on the land by laws imposed on rural HRM in the master plan. As a member of the save rural HRM and a land owner I have had to sit and watch people's dream taken from them with these regulations. There are many unique people and pieces of land in our region. One size does not fit all. Let's work together, to find a solution with the local voices being heard and a helping hand from the rural planners you have promised before the election to get it correct this time. Also need a fast track process to help people like Andy and Sue Robins through no fault of theirs get caught up in harsh, cold regulations Respectively [REDACTED]

Anonymous

10/16/2016 04:02 PM

To whom it may concern: 1. Permit building without 100' of public road frontage on shared driveways/roads. 2. Permit private roads to continue being developed as they will increase revenues to the municipality at no maintenance cost 3. Require deeded right of ways to a shared road and/or a public road and for larger private roads a registered society to maintain the road per acceptable specifications for public safety access. All property owners that share such a private road should have to contribute to the construction and maintenance costs. 4. Permit landowners to sub-divide large land holdings to pass down to family members and/or sell for residential purposes as do other municipalities across NS 5. By permitting homesteads on 25 acre lots you will stimulate the economy with additional tax revenue, business opportunities, jobs, and economic activity. 6. Do no harm to rural landowners who purchased their properties with the understanding that they could build on 25+ acre tracts and use a gravel easement/private road for access to their property. Respectfully submitted, Albert and Jamie Cantara [REDACTED]

Anonymous

10/16/2016 05:03 PM

It is my opinion that any lots that do not meet the the By-law frontage requirements should not be available for sale as is.

Anonymous

10/16/2016 05:43 PM

I believe rural land owners who wish to develop their lands for any purpose including residential, should be permitted to do so providing access is by a private road built to suite the landowner and to be maintained at their own cost and level of development. Should they at any time request the municipality to take over maintenance responsibility the road should then be required to be at municipal standards at the owners cost before takeover. I would support a minimum lot size on these large tracts of land of reasonable size, maybe two acres each, as a suggestion. This will bring back the value of our lands that we have paid taxes on for generation and allow our families to take advantage of them for housing or maybe cottage living until they are at a point in life that they want to return to their roots and revitalize our rural communities. A trend that has been going opposite for a couple of decades but now is showing a return to nature and country living. Let's be proactive and get ahead of the curve in HRM . Thanks , lantz siteman

Anonymous

10/16/2016 09:55 PM

Land owners who own property on private roads should be able to build residences without requiring 100' of public road frontage. The lot size and method of creation SHOULD NOT matter provided they are in a land zone that permits residential construction. New homes on private roads will provide much needed tax dollars to HRM while not increasing maintenance fees that accompany new sub-divisions. Jennifer Helm Brookside

Anonymous

10/17/2016 11:35 AM

As former military exchange officers with the US and British Military, my husband and I met and married in Nova Scotia. We were excited to find and buy our property at Jeddore Point and have waited many years to build our dream home there. We had initially wanted to build after retiring from the military but due to some excessive medical needs of one of our children we were unable to do so. We are within reach of our dream only to find that that dream may now sadly be unrealized. No one mentioned to us in 1996 when we bought our 25 acres that there was an issue with road frontage by laws. Not only are we at risk of being unable to build, live, bring our finances to the community and spend time with family and friends in our retirement, now we are at risk of losing all of the money we paid for our property and paid taxes all these years. allow building without 100' of public road frontage on shared driveways/roads. The following are options that I would love to see considered and passed to help us help you preserve your beautiful part of the world. Thank you for your understanding. - allow private roads to continue being developed as they will increase revenues to the municipality at no maintenance cost - perhaps require deeded right of ways to a shared road and/or a public road and for larger private roads a registered society to maintain the road - allow landowners to continue sub-divide large land holdings to pass down to family members and/or sell for residential purposes as do other municipalities across NS - regarding rural character, people want new faces in their communities. They want the additional tax revenue, the business opportunities and economic activity - environmental protection - at a rate of 1 home/25 acres a lot of land will continue to be preserved in private hands for generations to come with much better stewardship than the Department of Natural Resources Anne and William Douglas

Anonymous

10/17/2016 12:01 PM

Land owners who own property on private roads should be able to build residences without requiring 100' of public road frontage. The lot size and method of creation should not matter provided they are in a land zone that permits residential construction. Kirk Harnish Halifax, NS

Anonymous

10/17/2016 03:54 PM

I think consideration should be given to 25acre private lots that were created prior to the enforcement of the bylaw. I believe these particular lots should be "grandfathered" in and issued building permits as these developers could face serious financial risk if the bylaw is enforced. I agree that the bylaw should be enforced for any new lots going forward, or even create a framework necessary to manage these properties. I also think as these properties are on private roads, and thus do not receive some services such as road maintenance/snow removal should pay lower property taxes than equivalent properties on public roads

Anonymous

10/17/2016 07:59 PM

I'm not sure what the problem is? Having been in the development business some 40 years ago it would seem 25 acres is plenty space to build a home or building providing there is enough road frontage at some point to allow for a driveway. Also, rules should be very different for Barrington Street vs Ecumsecum. Some people like to live in under the rules of the 'Ant Hill Syndrome' but others look for solitude.

Anonymous

10/18/2016 09:04 AM

I am extremely disturbed by this change. I realize what the by law states but for the last 14+ years all the land planners, realtors, other landowners have operated on the premise that a 25 acre lot was a buildable lot. In fact I purchase a lot on Paces lake to build a retirement home and now I'm daed in the water???? If I could understand the impact reasons for this policy change - PLEASE ADVISE. The adjoining lot is building a house yet after I paid more than \$1000,000 on my lot I cannot build???? PLEASE EXPLAIN What recousre do I have? With the developer? With Terrain Group who revioewed my purchase? With Boyne Clarke on the contract? With HRM? Help Please. Josh Rutter

Anonymous

10/18/2016 10:16 AM

The refusal of HRM to issue building permits on 25 acre lots stifles growth and prosperity in rural HRM, paralyzing home building, slashes the fair market value of the owner land and reduces value below the tax burden.

Anonymous

10/18/2016 10:56 AM

They should not be developed outside areas where municipal services are not available because of the receding water table and traffic issues.

Anonymous

10/18/2016 11:39 AM

I am concerned about the ability for first responders to reach homes built on such lots if they don't have road frontage. I am concerned that no controls on these lots will eventually result in landowners

demanding that the city build roads, at great expense to the general taxpayer, to improve access to these lots. It appears that some developers exploit the ability to create these lots just to avoid having to pay costs for road or parks - the general taxpayer may end up greatly subsidizing these lots. What do HRM's cost of servicing studies from a few years back say about the costs of rural development?

Anonymous

10/18/2016 11:41 AM

I personally think if a person owns land, pays taxes on said land, they should be able to build on that land. If a person builds a structure on the land, they will be creating jobs as well as access to and from that land. That alone should satisfy and by-law agreement. It's ridiculous to hinder growth and development in any part of the HRM or the province, based upon antiquated bylaws. Why would people want to purchase land anywhere, if they were restricted in their residential construction. This seems incredibly counter productive to the mandate set down regarding continued growth in the province, as well as the HRM. More houses, mean more taxes paid.

mulock

10/18/2016 01:01 PM

Enforce any and all applicable By Laws, no leniency / second chances.

Anonymous

10/18/2016 01:07 PM

TI think the lots are not the issue - the LUB is flawed.

Anonymous

10/18/2016 01:30 PM

I think this policy is hugely unfair. The policy hasn't been enforced consistently since its inception, and I'm not really sure how it is intended to protect the public. Access to such lots can very easily be managed by private roads. Time for a policy change if you ask me. Daniel McMillan - Upper Tantallon

Anonymous

10/18/2016 01:39 PM

The intended use of the exemption was to accommodate resource uses, such as farming or forestry. However, this is no longer the case for all exemptions that have been issued and thus has created a loophole in how land is being used. In this case, it is advisable to make changes to the current regulation and require owners of such lots to undergo the same process as someone who wants to develop land that was created under a different category.

Anonymous

10/18/2016 03:26 PM

Cheryl Harding and David Elliott Deposit to purchase Lot 8, Scots Lake -- PID# [REDACTED] have lived in an urban setting all of my life, and while I certainly understand some people's preference for an urban lifestyle, it has always been a dream of mine to one day live in a rural setting. Last winter my partner and I entered into an agreement to purchase a 25 acre property in Petpeswick Hills, Musquodoboit Harbour, NS. We had every intention and continue to have hope that we will be able to build a home on this property. The fact that it is accessed via a deeded private road only stands to ensure our continued privacy. A private road or driveway will retain the natural state of the environment where it matters most. We don't need or want 100' of public road frontage. We understand that the cost of maintaining the road

and its accessibility will rest with us and the other property owners on the road. Our road and others like it will cost HRM nothing. Property taxes will increase as many new homes are constructed and once again HRM will be the direct beneficiary. Subdivisions, such as ours, which are divided into these large lots continue to provide access to some of the most beautiful parts of our community. Landowners, such as ourselves, appreciate those pristine woodlands, lakes and their indigenous wildlife. We will be their unpaid caretakers, will work to maintain them and will treat them with the utmost care thereby preserving them for generations to come. By allowing these large parcels of land to be subdivided and settled, HRM is making an investment in the future of Rural HRM. The existing rural population will be maintained as ownership is passed through many future generations and others will be encouraged to explore rural living as the community develops and prospers. If HRM continues on its current tack, we fear Rural HRM will not only fail to grow, it will likely decline as residents move to other communities with more favourable/supportive rules and regulations. We urge you to make the by-law amendments necessary to allow us, and many others, to pursue our dream. Sincerely, Cheryl and Dave

Anonymous

10/19/2016 08:04 AM

Currently those who do not have frontage on a public road or an approved private road, or an approved section of a private road are not currently allowed to build. They ought to be allowed.

Anonymous

10/19/2016 08:17 AM

My concern is that planners are trying to "direct" development to certain areas. Times have changed. We know longer need to commute to a tower on the peninsula to work. Electronics allow us to work worldwide from ecum scum tohubbards. No longer the expensive commuting infrastructure.

Anonymous

10/19/2016 10:02 AM

I really do not have any concerns with the creation of 25 acres lots that do not meet land use By-law requirements.

Anonymous

10/19/2016 11:57 AM

Change the bylaws to meet the demand for rural life. This is 2016, not 1996, people want the rural way of life, and we want our communities growing and prospering. I live in district 1, Wellington.

Anonymous

10/19/2016 12:34 PM

I have a parcel of woodland that has a 25 ft right of way to it. I should be able to build a cottage on it, or give to a family member to build a residence on it...It is over 25 acres...

Anonymous

10/19/2016 01:09 PM

HRM covers a vast area from west of Halifax to Sheet Harbour and beyond. Requiring landowners in the rural areas to apply for building permits designed for residential/municipal areas seems very unfair and impractical.

Anonymous

10/19/2016 02:30 PM

We are working in Ontario, but preparing to move back home. We inherited land on a private road in District 1, and are going to build our retirement home there.....or were until this bylaw was drug up from the dead. HRM needs to listen to the people...we want a rural way of life..... it's in our blood, it's in our hearts

Anonymous

10/19/2016 03:15 PM

I think it's archaic and needs to be brought up to date to meet the needs to allow residences to be built. Have permits processed more quickly. Of course there are limitations as to what people can utilize their land for - for instance, having a dump site on your land would not be a permissable use. Common sense needs to prevail.

Anonymous

10/19/2016 03:28 PM

Dear HRM Planning staff, Thank you for the opportunity to provide input on this recent change in permitting regarding lots greater than 25 acres. As you may know Seven Lakes was the first Conservation Design Community under the Regional Plan Policies. To take a step back, I wanted to bring you up to speed on how Seven Lakes Development Ltd. came to the decision to purchase 1800 acres of land in Porters Lake. Our company was looking for an opportunity to develop a model community that incorporated many sustainability and conservation elements. It was always our goal to create a community rather than just a subdivision. In assessing the various municipalities to develop in, Halifax Regional Municipality seemed to have all the right things going for it. Specifically the community of Porters Lake was attractive with its proximity to the City and access to the beautiful natural environment. Our company prides itself on developing successful, well planned projects. We stay involved through-out the duration of the project and play a key role in converting raw land to vibrant residential communities. The Conservation Community policies found in the Halifax Regional Plan appear to be in complete alignment with our company's beliefs, but at the time of land acquisition, these policies were not tested on the market and there seemed to be general concern across the Real Estate community on whether or not a land based condominium would sell in this marketplace. Understanding this concern, we moved forward and identified our current land holdings in Porters Lake for potential acquisition. As with most businesses, we need to have a 'Plan B' or alternate option in case a product is not successful. One of the major reasons for advancing our land acquisition for Seven Lakes was the ability to subdivide lots greater than 25 acres and sell these as large residential estate lots with a well-designed/shared access. It was always our belief that this was a common practice in HRM and that permits had recently been issued for lots under this provision. Knowing we had our 'Plan B' in place, we closed on the lands and began working through the Conservation Community policies found in the Regional Plan. To remove this option now would greatly disadvantage our project and our overall investment. We have enjoyed working with staff and Council on the first phases of Seven Lakes, but do have concern about how the interpretation of the 25 acre as of right rule is now being interpreted and administered. We ask that all lands currently owned by Seven Lakes and not yet subdivided be grandfathered and allowed to continue with lots greater than 25 acres. This was a key part of our financial model when acquiring these lands and we would need to retain this right. If you have any questions or concerns around this letter our Seven Lakes project, please let me know. Sincerely, Gail Penney President Seven Lakes Development Ltd.

Anonymous

10/19/2016 03:50 PM

My husband and I own a number of properties, developed and undeveloped, in the Musquodoboit Harbour area where we live. Two of our properties have homes and both are on private roads, one a cottage lane and the other is a full width road which I understand meets HRM road standards. Since they are private road we, along with the other property owners on the road are responsible for maintenance and snow management. We have better service, especially snow management, on our private roads that



the county road that they access. All of our lots have varying amounts of road frontage which we do not see as an issue as long as there is adequate frontage to a private or public road to facilitate a construction of a driveway suitable to services, including emergency services such as fire and EHS. There is no public water or sewer, nor do we want any. To the extent that long driveways require more poles to run power or other lines, we accept that is part of the cost of a rural lot with a long driveway.

Anonymous

10/19/2016 04:58 PM

It is not just 25+ acre lots being effected by this by-law, there are plenty of lots that are under 25 acres that are being advised that without 100 ft of road frontage, or if the land is off a private lane, that we can no longer expect to be allowed to build a home on it. I have a driveway that comes out onto a public road and a full sized TRANSPORT TRUCK WITH 50 FT FLATBED TRAILER, came down it with no issue, but NOW my 1.5 acre lot needs a driveway 100 ft wide??!! Come on, where is there any COMMON SENSE being used in the application of this bylaw??!! It is ridiculous to try and claim that emergency services will not be able to get to me if I build a home there.... if Heavy Equipment used in the building of homes can get onto these sites to build a home, then an Ambulance, Police car or Fire truck, are certain to be able to. My 1.5 acre lot is located at the end of Old Manned Rd (this Rd is part of my land) and I bought it in early 2015 with the intention of building a 2 bedroom retirement cottage here in the next 5 years. If HRM decides I cannot build on this, then it is absolutely worthless, and I will be out tens of thousands of dollars. It will also be next to impossible to sell to anyone else... it doesn't take a genius to figure out how financially devastating this will be to anyone caught in the politics of this by-law. It would also mean going after HRM for taxes paid based on what the property was worth as a residential lot... a new assessment would require the city to pay back huge sums of previously collected monies, as far back as 6yrs in some cases. This issue is bad for the citizens of Rural HRM, and it is bad policy for Rural HRM in the long run. I hope HRM Council can see that this by-law is negatively impacting the citizens and rural areas of the people who they are supposed to be representing. Work some changes into this so that the INTENT of the by-law matches the WORDING of the by-law. Respectfully submitted Oct 19, 2016 by land owner, Victoria Newman-Jones. [REDACTED]

Anonymous

10/20/2016 08:50 AM

There should be different restrictions in rural areas that would pertain to rural land use issues.

Anonymous

10/20/2016 09:03 AM

Hi, I think that if the land owner is willing to be responsible for their own maintenance of the road and land, they should be allowed to build. As a country we are trying to support building our cities and increasing immigration and I think this hinders growth. I think it also increases value of smaller towns that would be great for our province. If we do not allow the current land owners to build on their land, it also creates financial strain on the province as owners will no longer want the land as it isn't useful to them. Thank you, Krista Hann [REDACTED]

Anonymous

10/20/2016 09:59 AM

Halifax County should not be part of HRM. Rural residents should be able to subdivide their property, within reason. In order to pass it on to their children. Bylaws that apply to urban and suburban areas are not applicable to rural areas. Common sense should apply.

Anonymous

10/20/2016 11:39 AM

Having been born and raised in Musquodoboit Harbour and making the decision to remain in here to be self employed and continue to employ local residents the same as my family has been doing for generations in the area, I found it very troubling when the 10 hectare (ahem ) issue first came to light to me earlier this year. The troubling part for me has been the way it was presented to me. I have invested many hundreds of thousands of dollars in creating such lots for sale. As an entrepreneur and not an "expert" in land use bylaws I did the natural thing one would do to undertake my business dealings, I sought out the best professional advice from the industry, including some of the best land survey engineer groups and property lawyers in Halifax. After numerous meetings and discussions with the late Kirk Nutter (WSP Group) we decided to move ahead with 10 hectare development. I personally had several meetings with Kirk and planning staff and everything was fine, lots were developed and have been sold since 2005 with a few homes being built since and other clients waiting to build their dream houses when they are ready to do so. So to suddenly discover HRM planning Staff's adventurous interpretation of an old by law that was never picked up by industry professionals OR planning staff has been nothing short of disturbing for me. At the time when this all first came to light I endured listening to Staff simply saying that this is how it's always been and that more due diligence on my part would have solved this. These were ridiculous comments. Next I then had to endure Industry professionals simply saying that they do not understand where HRM is coming from, knowing full well that they did their jobs to a standard high enough in their professional fields that they would recommend me develop my property into 10 hectare lots. So who is to blame in this mess? The developer that went above and beyond in seeking professional input for development options? I do understand HRM current stand on the issue, but have deep concern with the way this has been put out to the public. It is obvious that HRM has seen the problems with suddenly enforcing a by law that lay dormant for 20 years. However, was it really dormant or just not interpreted properly all along ? During the time I was seeking answers from Planning staff I initially received numerous reasons as to "why now", and received no satisfactory answer at any point. At one point i was told that lots created prior to 2006 would be ok, then I was told no they are not. I am curious as to what the wording of the "approved lot" was prior to 2006. I know that the late Kirk Nutter was a "go to" guy in the industry for Bylaws and Land Use issues. I also know that between Kirk and I we had numerous discussions with Staff on the 10 hectare lots and every single time Kirk prevailed in his take on the lots being suitable to receive building permits, so I ask "why now the current stance on the issue"? I can easily rant and rant about this as it has caused me immense short-term financial hardship within the operating business model I have been using for my land development company as well as mental stress of listening to HRM staff and HRM Council both constantly now playing the tune of "landowners effected by this should have done the their proper due diligence". Then there is the impending threat of potential lawsuits by people whom have purchased lots with the intention that they will be able to build. This has been very stressful. I will add, that of all the lots I have sold, every single purchaser employed their own professionals to "vet" the purchase of their lakefront building lot. Not one single one every raised a question or concern of not being able to obtain a building permit. So either the entire scope of the real estate industry professionals within HRM are all incompetent idiots for giving out ill advise constantly over an 11 year period...OR....something has been amiss within the system of HRM. My money is on the latter. I have found this to be not only be offensive considering the time, effort, professionals employed and positive feedback from HRM staff as I was undertaking my business model, but the mere fact that 10 months into this there is yet to be a solution. Rural HRM is Rural Canada; not an extended suburb of Halifax. This point needs to be properly addressed to ensure the continuing growth and prosperity of the Rural way of life. In closing, I have faith in this democratic country we live in and that common sense will prevail, Council will make appropriate decisions to rectify the issue and will be backed by HRM Planning Staff to ensure a viable long term solution is achieved. As an eighth generation land owner, I feel privileged to carry on my family's tradition of land ownership, stewardship and development. Generally my family has developed and sold land/lots in the area as the market allows. The market currently is on an upswing in the area; land development is beginning to be stifled by current regulations. I am not saying that regulations are a bad thing, however, when the regulations dictate a certain development that equates to a lot price that ends up being too cost prohibitive to economically develop lots, then the regulation ends up being stifling. Rural areas still need mechanisms to allow development to be financially viable. Lots need to be on the market in rural areas reflective of the services and the area. People tend to want to move to the rural areas for two reasons; its cheaper and it rural. My family has been a champion of property for generations; helping existing and new residents achieve the benefits of property ownership

including: security, independence, building of equity, a hedge against Inflation, and most importantly enjoyment. I look forward to being able to continue this important service into the future upon a successful resolution to the current issue.

Anonymous

10/20/2016 12:19 PM

I think development of these lots should be allowed, I see no difference in service between these and other lots where people have long private driveways

Anonymous

10/20/2016 04:43 PM

I personally do not see a concern with the development of these large parcel of land (25 acre), even though they do not have the required road frontage according to the newly enforced bylaw. These large tracks of land are usually in a rural setting with access backing onto a secondary road (low volume traffic) and as long as there is visibility of on coming traffic, there is no safety concerns. If you have a right a way into the property, you should be able to develop the property. The owners of these property may have had these property in their family for generations or recently purchased the property in good faith as part of an investment/retirement plan and are looking to subdivide at a later date, parcel off lots for their family members to build homes or simply develop the land to enjoy nature with family through cottage life. Regardless of the reason this is Great for the economy of rural NS, creating jobs, spin-off and potentially keeping our young people at home. Lets do what's right and allow property owners develop their property.

Anonymous

10/20/2016 04:53 PM

To Whom it May Concern; In 20 July 2015, Armco Capital created 12 lots, all greater than 25 acres on the Canterbury Estates Land. PIDs: [REDACTED]

[REDACTED] on 4 March 2016, we received a letter from Trevor Creaser stating that our lots do not meet the frontage requirements, and therefore no development permits would be issued. Until we received that letter construction of a shared driveway had been underway, with the appropriate approvals from TIR. Upon receiving the letter we halted further activity on the site and delayed any applications for a development permit to HRM. These lots were created legally, in good faith, for residential development. They meet all development requirements other than frontage. HRM has a history of granting development permits for similar lots. While we understand that HRM wishes to restrict rural development, by changing the implementation of this policy, we do not wish to be penalized for having only recently created these lots and begin construction on them. Sincerely, ARMCO CAPITAL INC.

Anonymous

10/20/2016 06:05 PM

I personally do not see a concern with the development of these large parcel of land (25 acre), even though they do not have the required road frontage according to the newly enforced bylaw. These large tracks of land are usually in a rural setting with access backing onto a secondary road (low volume traffic) and as long as there is visibility of on coming traffic, there is no safety concerns. If you have a right a way into the property, you should be able to develop the property. The owners of these property may have had these property in their family for generations or recently purchased the property in good faith as part of an investment/retirement plan and are looking to subdivide at a later date, parcel off lots for their family members to build homes or simply develop the land to enjoy nature with family through cottage life. Regardless of the reason this is Great for the economy of rural NS, creating jobs, spin-off and potentially keeping our young people at home. Lets do what's right and allow property owners develop their property.

Anonymous

10/20/2016 06:57 PM

Every landowner should have the right to develop and/or subdivide their property, providing there are no safety concerns. Just because the property does not have the recommended road frontage does not mean there is a concern with safety, as it relates to gaining access to a provincial hwy (especially a secondary type road) and/or the ability to respond to an emergency. In a lot of cases there has been significant costs/investment to the landowner, who was lead to believe there would was no real concern around developing the property at a future date. In some cases their land has been in the family for generations and the land owner wishes to subdivide and give a piece of the property to their sons/daughters. Whatever the reason development is good for the economy These large tracks of property are becoming of popular, as they are within reasonable distance to the city (work), low cost housing (compared to the metro area) making this attractive to retirees, the younger generation, and families. If you are so lucky to have property that has either access and/or bordering on waterfrontage – this is where memories are made. Great for the economy of rural NS, creating jobs, spin-off and potentially keeping our young people at home, not to mention the keep our communities strong and vibrant.

Anonymous

10/20/2016 07:45 PM

I believe that this needs to change or revert back to the way it was Provincially. I have land in District 1 where I had planed to build a home but can't because of the lack of a Bidg permit. The land is heavily taxed and a good portion of it is zoned "RESIDENTIAL" and I don't know why! About all I can do with it is grow Christmas trees and pay tax.

Anonymous

10/20/2016 08:17 PM

Thanks for the opportunity to express my concerns regarding this issue. I am not a land owner that is directly effected, I am a Land Surveyor that has spent the last 48 years working in the rural HRM community advising clients on how best to subdivide their land. Although I have created a few multi lot subdivisions, the majority of my work has been the 1 – 3 lot size. Over the years it has become increasingly difficult to economically create rural lots for family members or for sale. With lot values in the rural communities it is not feasible to have a subdivision road designed, constructed and paved. The cost of the road on top of the surveying fees, legal fees, cash park donation and others fees is often far more than the land is worth. One by one the opportunities for the rural landowner have been taken away, the removal of approval of lots on a Private Right of Way, the removal of "Private Roads" and now the refusal to issue Development Permits on legally created 10+ hectare lots unless the lot has the required road frontage. The creation of 10+ hectare lots was the only option many rural land owners had, now these lots are all but worthless. I fully understand and agree that access to these 10+ hectare lots is important and must be reflected in the deeds along with an agreement regarding road maintenance. I have heard it argued by HRM that the 10+ hectare lot were intended for farming and forestry purposes yet I have not seen any documentation in this regard. In all my years of surveying in the "truly" rural part of HRM, I can not recall a single issue regarding residential development of the 10+ hectare lots. I strongly urge that HRM Staff and Council amend the land use By-Law so that the road frontage requirement does not apply to these lots. In my opinion the creation of the 10+ hectare lots is not a "loop hole" as I have heard from staff, they are created out of pure desperation as there is no other reasonable alternative. Perhaps in your endeavors to amend the land use by-law, staff could also consider some means of relief for the rural developer who wishes to create a few lots. Thank you, E.J. (Ted) Webber

Anonymous

10/20/2016 08:43 PM

I think this is ridiculous. I think that landowners should be able to build on their land regardless the road frontage or where that frontage is ei: private road. What are people suppose to do with 25+ acres of land which is now worth nothing if one cannot build? Politicians and municipal staffers should not destroy people's lifelong dreams. I hope you get this message loud and clear.

Anonymous

10/20/2016 10:59 PM

It is disappointing that HRM's recent decision to stop issuing building permits on lots created through the Municipal Government Act which do not have 100' of public road frontage. This decision directly impacts our communities. It restricts development, puts local contractors at risk and leads to layoffs. Rural communities on the Eastern Shsore continue to lose residents due to diminishing prospects for employment, loss of core services and limited opportunities for economic development, Rural HRM has substantial assets within our communities that will support new growth and development but need the commitment of HRM so we can take advantage of our potential.